

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

WEDNESDAY, THE TWENTY FIFTH DAY OF MARCH

TWO THOUSAND AND TWENTY SIX

:PRESENT:
THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 4356 OF 2026

Between:

1. Muthavarapu Suresh Babu, S/o Late Anjaneyulu
2. Muthavarapu ArunaKumari, W/o Suresh Babu
3. Namburi Srinivasa Rao,, S/o Narasimha Rao

Petitioners/Accused No.1-3

AND

1. The State of Telangana, Rep by its Public Prosecutor High Court Bldgs,
Hyderabad.

Respondent

2. K. Anantha Reddy, S/o K. Sathi Reddy, R/o Plot No. 23, Magadha Villa
Kokapet Village, Gandipet Mandal, Ranga Reddy District

Respondent/De-facto Complainant

WHEREAS the Petitioners above named through their Advocate SRI KIRAN PALAKURTHI presented this Petition under Section 528 OF B.N.S.S., praying that in the circumstances stated in the grounds filed in support of the Criminal Petition, the High Court may be pleased to call for the records relating to the proceedings in C. C. No. 216 of 2026 on the file of the II Additional Junior Civil Judge — cum — XIII Additional Judicial Magistrate of First Class, Ranga Reddy District, At Rajendranagar for the offences punishable under Sections 406 and 420 of IPC and quash the same as illegal in so far as the Petitioners/Accused No.1 to 3 are concerned, in the interest of justice.

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of SRI KIRAN PALAKURTHI Advocate for the Petitioners, and Additional Public Prosecutor, for the Respondent No.1 directed issue of notice to the Respondent No.2 herein to show cause as to why this CRIMINAL PETITION should not be admitted.

You viz:

K. Anantha Reddy, S/o K. Sathi Reddy, R/o Plot No. 23, Magadha Villa
Kokapet Village GandipetMandal Ranga Reddy District.

are directed to show cause on or before 05.08.2026 to which date the case stands posted as to why in the circumstances set out in the petition and the memorandum of grounds filed therewith (copy enclosed) this CRIMINAL PETITION should not be admitted.

IA NO: 2 OF 2026

Petition under Section 528 OF B.N.S.S., praying that in the circumstances stated in the grounds filed in support of the Criminal petition, the High Court may be pleased to stay all further proceedings in C. C. No. 216 of 2026 on the file of the II Additional Junior Civil Judge — cum — XIII Additional Judicial Magistrate of First Class, Ranga Reddy District, At Rajendranagar for the offences under Sections 406 and 420 IPC, including the personal appearance of the Petitioners/Accused No.1 to 3, in the interest of justice.

**The Court made the following:
ORDER:**

Sri Kiran Palakurthi, learned counsel for the petitioners, submits that the petitioners have not committed the alleged offences and have been falsely implicated in the present case. He further submits that the allegations made in the complaint are purely civil in nature, pertaining to agricultural land admeasuring Ac.15-08 gts in Sy. Nos. 83/P and 84/P. The respondent No.2, without approaching the competent civil court for seeking specific performance of the agreement of sale, has filed the present complaint.

He further submitted that the ingredients of the offences under Sections 406 and 420 of the Indian Penal Code, 1860 are not attracted against the petitioner and the said offences cannot go together, in view of the principle laid down by the Hon'ble Apex Court in *Delhi Race Club (1940) Ltd. & Ors vs. State of Uttar Pradesh & Anr¹*. Hence, continuation of proceedings against the petitioners is a clear abuse of process of law.

Taking into consideration the above submissions, this Court is of the *prima facie* view that there is force in the submissions made by the learned counsel for the petitioners. However, a detailed examination is required for adjudication of the case.

Notice before admission.

Learned Additional Public Prosecutor takes notice on behalf of respondent No.1.

¹ 2024 INSC 626

Learned counsel for the petitioners is permitted to take out personal notice to respondent No.2 by way of Speed Post with Acknowledgment Due and file proof of service.

Post on 05.08.2026.

Till then, there shall be an interim stay of all further proceedings against the petitioners/accused Nos.1 to 3 in C.C.No.216 of 2026 on the file of II Additional Junior Civil Judge-cum-XIII Additional Judicial Magistrate of First Class, Ranga Reddy District at Rajendranagar. In default of filing proof of service, the stay shall stand vacated.

Sd/- L.VIJAYA LAKSHMI
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The II Additional Junior Civil Judge — cum — XIII Additional Judicial Magistrate of First Class, Ranga Reddy District, At Rajendranagar.
2. The Station House Officer, Narsingi Police Station, Cyberabad Commissionerate.
3. K. Anantha Reddy., S/o K. Sathi Reddy, R/o Plot No. 23, Magadha Villa Kokapet Village, Gandipet Mandal Ranga Reddy District (by SPAD- along with a copy of petition and memorandum of grounds)
4. One CC to SRI. KIRAN PALAKURTHI Advocate [OPUC]
5. Two CCs to Public Prosecutor, High Court at Hyderabad (OUT)
6. **One spare copy**

HIGH COURT

JSR,J

DATED:25/03/2026

POST ON 05.08.2026

NOTICE BEFORE ADMISSION

CRLP.No.4356 of 2026

INTERIM STAY

