

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
TUESDAY ,THE THIRTY FIRST DAY OF MARCH
TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO
CRIMINAL PETITION NO: 4707 OF 2026

Between:

1. Naga Sai Jagan Mohan Sodarapu, S/o Sodarapu Nageswara Rao @ Vijay Kumar. Aged about 27 years, Occ. Private employee R/o H.No. 3-47/54/A, Singaipalli, Hakimpet, Medhcal Malkajgiri District. Telangana-500078
2. Sodarapu Nageswara Rao @ Vijay Kumar, S/o Late Sodarapu Jagannadham. Aged about 50 years, Occ. Private employee R/o H.No. 3-47/54/A, Singaipalli, Hakimpet, Medhcal Malkajgiri District. Telangana-500078
3. Gade Kanakamahalakshmi, W/o Sodarapu Nageswara Rao @ Vijay Kumar. Aged about 52 years, House Wife, R/o H.No. 3-47/54/A, Singaipalli, Hakimpet, Medhcal Malkajgiri District. Telangana-500078
4. Sodarapu Bhavani Naga Swetha, D/o Sodarapu Nageswara Rao @ Vijay Kumar. Aged about 22 years, Occ. Student R/o H.No. 3-47/54/A, Singaipalli, Hakimpet, Medhcal Malkajgiri District. Telangana-500078

Petitioners/Accused No. 1 to 4

AND

1. The State of Telangana, Rep.by the Public Prosecutor through WPS, West Zone(Hyderabad) Hyderabad District, Hyderabad, High Court of Telangana, Hyderabad.
2. Smt. Sodarapu Bhanu Sree @Bhanu Sree Kotichukkala, W/o S.Naga Sai Jagan Mohan, Aged about 25 years, presently resideing at Block NO.29, FF 14, NRR Puram, Site 2, Borabanda. Shamirpet Mandal, Medchal Malkajgiri District, Telangana State

Respondents/Complainant

WHEREAS the Petitioners above named through their Advocate SRI S SYAMSUNDER RAO presented this Petition under Section 528 of BNSS, praying that in the circumstances stated in the grounds filed in support of the Criminal Petition, the High Court may be pleased to quash the proceedings in FIR No. 34 of 2026 Dated.17.3.2026 before the Women Police Station , West Zone (Hyderabad), Hyderabad District, Telangana State;

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri S SYAMSUNDER RAO Advocate for the Petitioner, Additional Public Prosecutor for 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:

Smt. Sodarapu Bhanu Sree @Bhanu Sree Kotichukkala, W/o S.Naga Sai Jagan Mohan, presently resideing at Block NO.29, FF 14, NRR Puram, Site 2, Borabanda. Shamirpet Mandal, Medchal Malkajgiri District, Telangana State

are directed to show cause on or before 01.05.2026 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 151 CPC praying that in the circumstances stated in the affidavit filed in support of the criminal petition, the High Court may be pleased To grant stay of all further proceedings FIR No. 34 of 2026 Dated.17.3.2026 before the Women Police Station , West Zone (Hyderabad), Hyderabad District, Telangana State, pending disposal of CRLP No. 4707 of 2026, on the file of the High Court.

The Court made the following:

ORDER

Notice before admission.

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

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.

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 petitioners never harassed respondent No. 2 either physically or mentally, nor did they demand any additional dowry. Therefore, the ingredients for the offences under Section 85 of the Bharatiya Nyaya Sanhita, 2023 (for short, "BNS") and Sections 3 and 4 of the Dowry Prohibition Act, 1961 are not attracted against the petitioners. Even according to the allegations made in the complaint, the ingredients of the offences under Sections 316(2) and 351(2) of the BNS are not attracted against the petitioners. He further submits that petitioner No.1 had earlier lodged a complaint against respondent No.2 and others on 10.03.2026, based on which Crime No. 338 of 2026 was registered on the file of Jawaharnagar Police Station, Malkajgiri District. Petitioner No.3 also lodged a complaint against one Sri Arun Kumar and others, pursuant to which Crime No. 341 of 2026 was registered for offences punishable under Sections 351(2) and 352 of the BNS, and when the said crimes are pending, respondent No.2 has filed the present complaint as a counterblast against the petitioners. He further submits that

the offences leveled against the petitioners are punishable with imprisonment of less than seven years. He further submitted that the Investigating Officer, without following the mandatory procedure prescribed under Section 35(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') and without following the guidelines formulated by the Hon'ble Supreme Court in *Arnesh Kumar Vs. State of Bihar*¹, is proceeding further in the matter and the same is contrary to 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, this Court would not be justified in granting a stay of further investigation pending the proceedings under Section 528 of the BNSS.

Hence, the Investigating Officer is directed to follow the due procedure as contemplated under the provisions of the BNSS and also the guidelines formulated by the Hon'ble Supreme Court in *Arnesh Kumar* supra, insofar as petitioners/accused Nos.1 to 4 are concerned.

Post on 01.05.2026.


Sd/- P.CH.NAGABHUSHAMBA
DEPUTY REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. XIII Addl. Chief Judicial Magistrate, at Nampally, Hyderabad.
2. The Station House Officer, WPS West Zone, Hyderabad.
3. Smt. Sodarapu Bhanu Sree @Bhanu Sree Kotichukkala, W/o S.Naga Sai Jagan Mohan, presently resideing at Block NO.29, FF 14, NRR Puram, Site 2, Borabanda. Shamirpet Mandal, Medchal Malkajgiri District, Telangana State (by SPAD- along with a copy of petition and memorandum of grounds)
4. One CC to SRI. S SYAMSUNDER RAO Advocate [OPUC]
5. Two CCs to PUBLIC PROSECUTOR, High Court at Hyderabad.(OUT)
6. One spare copy

HIGH COURT

JSRJ

DATED:31/03/2026

POST ON 01.05.2026

NOTICE BEFORE ADMISSION

CRLP.No.4707 of 2026

DIRECTION

