

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

MONDAY, THE TWENTY SEVENTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

:PRESENT:
THE HONOURABLE SRI JUSTICE J.SREENIVAS RAO
CRLP NO: 5593 OF 2026

Between

1. A. Harshavardhan Rao @ Allineni Harshavardhan Rao S/o. Venkateswar Rao,
2. Venkata Rama Satya Hari Kiran kompella, S/o K.S.S Sastry,
3. Balla Raghuram Yadav, S/o. Balla Balaiah
4. Balla Krishna Yadav, S/o. Balla Balaiah
5. Gurram Narendra Reddy, S/o. G.Pratap Reddy
6. Madhavaram Srikanth @ Srikanth Rao, S/o. Late Narayana Rao
7. Madi Manikanth Reddy, S/o. Madhava Reddy

.....PETITIONERS/Accused No.1 to 7

AND

1. The State of Telangana, Rep by its Public Prosecutor, High Court, Hyderabad. Through Police Station, Moinabad, Cyberabad Commissidnerate
2. Jainu Naik, S/o Ram Singh Naik, Occ. Labour, R/o. H.No. 4-7-155/32/8/9, Attapur, Rajendra Nagar, Ranga Reddy District.

Respondents/De-facto Complainant

WHEREAS the Petitioners above named through their Advocate Sri. M·RAMESHWAR RAO 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 in FIR in Crime No.153 of 2026 of P.S. Moinabad, Future City, Ranga Reddy District for the offence U/Sec. 318(4),351(2),352,r/w 61(2),r/w 3(5) BNS, 3(1)(r)(s),3(2)(v 3(1)(r)(s),3(2)(va) SC ST a) SC ST (POA) Act and quash the same as illegal.

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri. M·RAMESHWAR RAO 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:

Jainu Naik, S/o Ram Singh Naik, Occ. Labour, R/o H.No. 4-7-155/32/8/9,
Attapur, Rajendra Nagar, Ranga Reddy District.

are directed to show cause on or before 29.06.2026 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.

I.A. NO: 2 OF 2026

Petition under Section 528 of B.N.S.S. praying that in the circumstances stated in the affidavit/grounds filed in support of the CRIMINAL PETITION, the High Court may be pleased to grant stay of all further proceedings in Crime No.153 of 2026 of P.S. Moinabad, Future City, Ranga Reddy District for the offence U/Sec. 318(4),351(2),352,r/w 61(2),r/w 3(5) BNS, 3(1)(r)(s),3(2)(v 3(1)(r)(s),3(2)(va) SC ST a) SC ST (POA) Act including not to arrest of the petitioners/accused.

The Court made the following:

ORDER

Learned Additional Public Prosecutor submits that pursuant to the order dated 15.04.2026, concerned SHO has intimated respondent No.2 about filing of the present criminal petition on 13.04.2026 and placed a copy of said intimation. In spite of the said intimation, respondent No.2 has not chosen to enter appearance.

Notice before admission.

Learned 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 through speed post with acknowledgment due and file proof of service.

Post on 29.06.2026.

Mr. Rameshwara Rao, learned counsel for the petitioners submits that the petitioners have not committed the alleged offences and have been falsely implicated in the present case. The allegations levelled in the complaint are purely civil in nature in respect of residential plots and the petitioners never abused respondent No.2 in the name of his caste. Hence, the ingredients of the offences under Sections 3(1)(r)(s), 3(2)(va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 are not attracted against the petitioners. The other offences leveled against the

petitioners are punishable with imprisonment of less than seven years and 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 guidelines issued by the Hon'ble Supreme Court in the judgment of *Arnesh Kumar supra*, insofar as petitioners/accused Nos.1 to 7 are concerned.

Sd/- U.SUDHA
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The First Additional Junior Civil Judge-cum-XII Additional Judicial Magistrate of First Class, Ranga Reddy District at Rajendranagar.
2. The Station House Officer, Moinabad Police Station, Future City, Ranga Reddy.
3. Jainu Naik, S/o Ram Singh Naik, Occ. Labour, R/o. H.No. 4-7-155/32/8/9, Attapur, Rajendra Nagar, Ranga Reddy District.[by SPAD-along with a copy of petition and memorandum of grounds]
4. One CC to Sri. M.RAMESHWAR RAO Advocate [OPUC]
5. Two CCs to PUBLIC PROSECUTOR High Court for the State of Telangana, at Hyderabad [OUT]
6. One spare copy

HIGH COURT

JSR, J

DATED: 27-04-2026

NOTICE BEFORE ADMISSION

POST ON 29.06.2026

CRLP.No.5593 of 2026

DIRECTION

