

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

THURSDAY, THE TWENTY THIRD DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

:PRESENT:
THE HONOURABLE SRI JUSTICE J SREENIVAS RAO
CRLP NO: 6298 OF 2026

Between

1. Ambaiah Gundagani,, S/o. Rajaiah,
2. Kota Somalingam,, S/o Kota Somaiah
3. K. Sagar Reddy,, S/o K. Chandra Reddy

.....PETITIONER/Accused No.1 to 3

AND

1. State of Telangana, Represented by its Public Prosecutor High Court of Hyderabad, For The State of Telangana
2. Suresh Rapolu,, S/o Pandurangaiah, Occ. Agriculture R/o. H.No. 8-65, Malakpet, Hyderabad

Respondents/Complainants

WHEREAS the Petitioners above named through their Advocate Sri. B SHIVA KUMAR 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 to Quash the Crime No. 24 of 2026 (PS Nagaram) on the file of Judicial 1st Class Magistrate at Thungathurthy, Suryapet District.

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri. B SHIVA KUMAR 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:

Suresh Rapolu,, S/o Pandurangaiah, Occ. Agriculture R/o. H.No. 8-65, Malakpet, Hyderabad.

are directed to show cause on or before 02.07.2026 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: 1 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 including appearance of the petitioner in Crime No. 24 of 2026 (PS Nagaram) on the file of Judicial 1st Class Magistrate, at Thungathurthy, Suryapet District.

The Court made the following:

ORDER

Mr. B. Shiva Kumar, learned counsel for the petitioners, submit that the petitioners have not committed any offence and have been falsely implicated by respondent No.2 in the present case. The allegations made in the complaint are purely civil in nature. Respondent No.2 filed suit through GPA Holder against Nyne Developers LLP for grant of Perpetual Injunction, *vide* O.S.No.108 of 2022 before Junior Civil Judge at Tungaturthy. In respect of the very same property, when respondent No.2 failed to get any favourable order, he filed the present complaint by giving it a criminal colour. Petitioner No.1 is an employee of Nyne Developers LLP. The said company purchased the property on 27.11.2021 through a registered sale deed bearing Document No.970 of 2021, by paying valuable sale consideration. Since then, Nyne Developers LLP is in peaceful possession of the subject property, especially respondent No.2 is not having any semblance of right or interest over the subject property. Thus, the ingredients of the offences under Sections 329(3), 324(2), 351(2) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023 are not attracted against the petitioners. Hence, the continuation of the proceedings against the petitioners is a clear abuse of process of law.

Taking into consideration the above said submissions, this Court is of the view that the grounds, which were raised by the learned counsel for the petitioners, require detailed examination.

Notice before admission.

Learned Additional Public Prosecutor takes notice on behalf of respondent No.1 and seeks further time.

Learned counsel for the petitioner is permitted to take out personal notice to respondent No.2 by way of speed post with acknowledgment due and file proof of service.

Till 31.07.2026, there shall be an interim stay of all further proceedings against the petitioners in Crime No.24 of 2026 of Nagaram Police Station, Suryapet District.

In default of filing proof of service by the next date of hearing, the interim stay granted shall stand vacated.

Post on 02.07.2026.

**Sd/- S.MALLIKARJUNA RAO
ASSISTANT REGISTRAR**

//TRUE COPY//


SECTION OFFICER

To,

1. The Judicial 1st Class Magistrate, at Thungathurthy, Suryapet District.
2. The Station House Officer, Nagaram Police Station, Suryapet.
3. Suresh Rapolu,, S/o Pandurangaiah, Occ. Agriculture R/o. H.No. 8-65, Malakpet, Hyderabad[by SPAD-along with a copy of petition and memorandum of grounds]
4. One CC to Sri. B SHIVA KUMAR 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: 23-04-2026

NOTICE BEFORE ADMISSION

POST ON 02.07.2026

CRLP.No.6298 of 2026

INTERIM STAY

