

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

WEDNESDAY, THE TWENTY NINTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

:PRESENT:
THE HONOURABLE SRI JUSTICE J SREENIVAS RAO
CRLP NO: 6744 OF 2026

Between

1. P Vijay Kumar, S/o P Krishna,
2. P Krishna, S/o Late P Yadaiah,
3. P Kouşalya, W/o P Krishna,
4. P Pallavi, W/o P Vijay Kumar,

.....PETITIONERS/Accused Nos.1,3,4 & 5

AND

1. The State of Telangana, Rep by the Public Prosecutor, High Court of Hyderabad
2. Pasham Srinivas Goud, S/o P Laxmipathi, Occ. Sole Proprietor, Manikanta Gas Agency, R/o H.No. 1-67, Patel Guda, Ibrahimpatnam Mandal, Mangalpalle, K V Ranga Reddy, Telangana

Respondent No.2/Complainants

WHEREAS the Petitioners above named through their Advocate Sri. ASHOK REDDY KANATHALA 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 quash the proceedings in C.C. No. 954 of 2025 on the file of the Junior Civil Judge cum Judicial Magistrate of First Class at Choutuppal against the Petitioners herein/Accused No. 1, 3, 4 and 5, 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. ASHOK REDDY KANATHALA Advocate for the Petitioners, 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:

Pasham Srinivas Goud, , S/o P Laxmipathi, Occ. Sole Proprietor, Manikanta Gas Agency, R/o H.No. 1-67, Patel Guda, Ibrahimpatnam Mandal, Mangalpalle, K V Ranga Reddy, Telangana.

are directed to show cause on or before 06.07.2026 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 in C.C. No. 954 of 2025 on the file of the Junior Civil Judge cum Judicial Magistrate of First Class at Choutuppal against the Petitioners herein/Accused No. 1, 3, 4 and 5, pending disposal of the main quash petition in the interest of justice.

The Court made the following:

ORDER

Notice before admission.

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 06.07.2026.

Upon perusal of the record, it reveals that on 27.11.2024, the learned Magistrate has taken cognizance, without recording his satisfaction and without assigning any reasons and issued summons, which is contrary to the principles laid down by the Hon'ble Apex Court in *Sunil Bharati Mittal v. Central Bureau of Investigation*¹ and *Fakhruddin Ahmad v. State of Uttaranchal and another*².

Learned counsel for the petitioners submit that the matter before the trial Court has not been ripe for trial and is at the stage of examination of accused.

¹ (2015) 4 SCC 609

² (2008) 17 SCC 157

In view of the above, the presence of the petitioner Nos.2 to 4/accused Nos.3 to 5 in C.C.No.954 of 2024 on the file of the Junior Civil Judge cum Judicial Magistrate of First Class at Choutuppall, is dispensed with, subject to the condition that they shall be represented through their counsel on each and every date of hearing. If the presence of the petitioner Nos.2 to 4/accused Nos.3 to 5 is required, they shall appear before the trial Court. In case of non-appearance on the specific date fixed by the trial Court for their appearance, the trial Court is entitled to proceed with the matter, in accordance with law.

Sd/- T.SRINIVASA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Junior Civil Judge cum Judicial Magistrate of First Class at Choutuppall.
2. The Station House Officer, Choutuppall Police Station, Yadadri Bhongir.
3. Pasham Srinivas Goud, S/o P Laxmipathi, Occ. Sole Proprietor, Manikanta Gas Agency, R/o H.No. 1-67, Patel Guda, Ibrahimpatnam Mandal, Mangalpalle, K V Ranga Reddy, Telangana[by SPAD-along with a copy of petition and memorandum of grounds]
4. One CC to Sri. ASHOK REDDY KANATHALA 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: 29-04-2026

NOTICE BEFORE ADMISSION

POST ON 06.07.2026

CRLP.No.6744 of 2026

DIRECTION

