

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

TUESDAY, THE TWENTY FIRST DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

:PRESENT:
THE HONOURABLE SRI JUSTICE J SREENIVAS RAO
CRLP NO: 6060 OF 2026

Between

Sri. Meruva Raju,, S/o M. Gopal,.

.....PETITIONER/Sole Accused

AND

1. The State of Telangana, represented by its Public Prosecutor, High Court Through P. S, Amarchintha, Wanaparthi District
2. Mr. Noorul Nazeeb,, S/o Habib, Occ Commissioner, Amarchintha Municipality, Amarchintha, Wanaparthi District-509130

Respondents/Complainants

WHEREAS the Petitioner above named through his Advocate SRI. P SHASHI KIRAN 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 call for records in FIR No. 49 of 2026 registered at Amarchintha Police Station, Wanaparthi District and quash the same 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. P SHASHI KIRAN Advocate for the Petitioner, 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:

Mr. Noorul Nazeeb, S/o Habib, Occ Commissioner, Amarchintha Municipality,
Amarchintha, Wanaparthi District-509130.

are directed to show cause on or before 22.06.2026 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: 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 to grant stay of all further proceedings in FIR No. 49 of 2026 registered at Amarchintha Police Station, Wanaparthy District including arrest, investigation and filing of charge-sheet in the interest of justice.

The Court made the following:

ORDER

Notice before admission.

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

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

Post on 22.06.2026.

Mr. P. Shashi Kiran, learned counsel for the petitioner submits that the petitioner/accused has not committed the alleged offences and has been falsely implicated in the present case. Respondent No.2 lodged the present complaint by making allegations only due to political rivalry. Even according to the allegations levelled in the complaint, the ingredients of the offences under Sections 132, 351(2), and 352 of the Bharatiya Nyaya Sanhita, 2023 are not attracted against the petitioner. The petitioner has not abused respondent No.2 in any manner. Hence, the continuation of proceedings against the petitioner is a clear abuse of the process of law.

He further submits that the allegations leveled against the petitioner 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 petitioner. However, this Court would not be justified in granting a stay of further investigation pending the proceedings under Section 528 of the BNSS.

¹(2014) 8 SCC 273

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 petitioner/accused is concerned.

Sd/- M.OSMAN ALI BAIG
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Judicial First Class Magistrate at Atmakur.
2. The Station House Officer, Amarachintha Police Station, Wanaparthy.
3. Mr. Noorul Nazeeb,, S/o Habib, Occ Commissioner, Amarchintha Municipality, Amarchintha, Wanaparthy District-509130[by SPAD-along with a copy of petition and memorandum of grounds]
4. One CC to Sri. P SHASHI KIRAN 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: 21-04-2026

NOTICE BEFORE ADMISSION

POST ON 22.06.2026

CRLP.No.6060 of 2026



DIRECTION