

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

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

:PRESENT:
THE HONOURABLE SRI JUSTICE J SREENIVAS RAO
CRLP NO: 6239 OF 2026

Between

Chiluka Vidyadhar, S/o Chiluka Mallaiah

.....PETITIONER/Accused No.3

AND

1. The State of Telangana, Represented by its Public Prosecutor High Court at Hyderabad,
2. Smt. Samala Sushmitha, R/o H.No. 1-1-102/6, Vinayak Nagar, Nizamabad-503003

Respondents

WHEREAS the Petitioner above named through his Advocate Sri. NOOTY VASISHTA VENKATESWARLU 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 and examine same and quash the proceedings in CC. No. 27 of 2026 arising out of FIR No 26/2024, On the File of III Additional Judicial First Class Magistrate Special Mobile Court at Nizamabad, Telangana. (Petitioner arrayed as A3)dt 26/06/2024 of Women Police Station, Town, Nizamabad, U/Sec., 498-A I.P.C and U/Sec. 4 of DP Act against the Petitioner/Accused No.3 herein as they are contrary to law.

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri. NOOTY VASISHTA VENKATESWARLU Advocate for the Petitioner, 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:

Smt. Samala Sushmitha,, R/o H.No. 1-1-102/6, Vinayak Nagar, Nizamabad-503003.

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 to Grant Stay of all further Proceedings in CC. No. 27 of 2026 arising out of FIR No. 26/2024, On the File of III Additional Judicial First Class Magistrate, Special Mobile Court at Nizamabad, Telangana. (Petitioner arrayed as A3), dt., 26-06-2024 of Women Police Station, Town, Nizamabad, U/Sec., 498-A I.P.C and U/Sec. 4 of DP Act, including the appearance of the Petitioner in the said case; pending disposal of the Criminal Petition in the interest of Justice as otherwise the Petitioner herein would be put to irreparable loss and hardship.

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 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.

Learned counsel for the petitioner submits that the petitioner has not committed the alleged offence and has been falsely implicated in the present case. The Investigating Officer, after conducting the investigation, filed a final report before the learned trial Court on 17.02.2025 and dropped the proceedings against the petitioner. Respondent No.2 filed a protest petition vide Crl.M.P.No.919 of 2025. Basing on the said protest petition, the learned trial Court, on 07.01.2026, took cognizance without recording *prima facie* satisfaction and without assigning any reasons. The petitioner never harassed respondent No. 2 for additional dowry, and the ingredients of the offence under Sections 498A of the Indian Penal Code, 1860, and Section 4 of the Dowry Prohibition Act, 1961 are not attracted against the petitioner. Hence, continuation of the proceedings against the petitioner is a clear abuse of the process of law.

Taking into consideration the above submissions, this Court is of the view that detailed examination is required for adjudication of the case.

Post on 06.07.2026.

Till such time, there shall be an interim stay of all further proceedings against the petitioner/accused No.3 in C.C.No.27 of 2026 on the file of the learned III Additional Judicial Magistrate of First Class/Special Mobile Court at Nizamabad. In default of filing proof of service, the stay stands vacated.

**Sd/- M.NAGAMANI
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The III Additional Judicial First Class Magistrate, Special Mobile Court at Nizamabad, Telangana.
2. The Station House Officer, Women Police Station, Nizamabad.
3. Smt. Samala Sushmitha,, R/o H.No. 1-1-102/6, Vinayak Nagar, Nizamabad-503003[by SPAD-along with a copy of petition and memorandum of grounds]
4. One CC to Sri. NOOTY VASISHTA VENKATESWARLU 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: 22-04-2026

NOTICE BEFORE ADMISSION

POST ON 06.07.2026

CRLP.No.6239 of 2026

INTERIM STAY

