

(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: 6325 OF 2026

Between

1. Botla Srinu,, S/o.Venkateswarlu,
2. Shaik Baji,, S/o.Rahamthulla,
3. Gopireddy Krishna Reddy,, S/o.Kotareddy,
4. Eadara Sudhakar Rao,, S/o.Subba Rao,

.....PETITIONERS/Accused 2 TO 5

AND

1. The State of Telangana,, rep. by its Public Prosecutor, High Court at Hyderabad.
Respondent/Complainant
2. Bodeboina Ramalingaiah,, S/o.Bodeboina Chennaiah, Occ. Retd. AO, DTA TS,
Hyderabad, R/o.H.No.5-3-841/1, Road No.6, Shatavahana Nagar, Vanasthalipuram,
R.R. District

Respondent/De-facto Complainant

WHEREAS the Petitioners above named through their Advocate Sri. A BHUVAN SUNDER REDDY 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 charge sheet by calling for the records pertaining to C.C.No.642 of 2022 on the file of the Junior Civil Judge-cum-Addl. Metropolitan Magistrate, Hayath Nagar, Ranga Reddy District and quash the same insofar as the petitioners herein (A2 to A5) are concerned.

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri. A BHUVAN SUNDER REDDY 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:

Bodeboina Ramalingaiah,, S/o.Bodeboina Chennaiah, Occ. Retd. AO, DTA TS, Hyderabad, R/o.H.No.5-3-841/1, Road No.6, Shatavahana Nagar, Vanasthalipuram, R.R. District.

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 in C.C.No.642 of 2022 on the file of the Junior Civil Judge-cum-Addl. Metropolitan Magistrate, Hayath Nagar, Ranga Reddy District including personal attendance of the petitioners pending disposal of the above criminal petition.

The Court made the following:

ORDER

Notice before admission.

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

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 02.07.2026, in the 'adjourned motion list'.

Upon perusal of the record, it reveals that on 08.04.2022, 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.

Even according to the learned counsel for the petitioners, the matter before the Trial Court is at the stage of summons.

¹ (2015) 4 SCC 609

² (2008) 17 SCC 157

In view of the above, the presence of the petitioners/accused Nos.2 to 5 in C.C.No.642 of 2022 on the file of the Junior Civil Judge cum Additional Metropolitan Magistrate, Hayathnagar, Ranga Reddy District, 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 petitioners/accused Nos.2 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/- S.MALLIKARJUNA RAO
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Junior Civil Judge-cum-Addl. Metropolitan Magistrate, Hayath Nagar, Ranga Reddy District .
2. The Station House Officer, Vanasthalipuram Police Station, Rachakonda Commissionerate.
3. Bodeboina Ramalingaiah,, S/o.Bodeboina Chennaiah, Occ. Retd. AO, DTA TS, Hyderabad, R/o.H.No.5-3-841/1, Road No.6, Shatavahana Nagar, Vanasthalipuram, R.R. District[by SPAD-along with a copy of petition and memorandum of grounds]
4. One CC to Sri. A BHUVAN SUNDER REDDY 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, IN THE 'ADJOURNED MOTION LIST'

CRLP.No.6325 of 2026

DIRECTION

