

(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 HON'BLE SRI JUSTICE E.V. VENUGOPAL

WP NO: 12937 OF 2026

Between

1. Devarapaga Sravanthi Prafulla, D/o. Devarapaga Nagaiah Purushotham,
2. Karupamula Nanda Kishore, S/o. Late K. Yadagiri Rao,
3. Palle Anusha, D/o. Palle Yadaiah,
4. Kavya @ Bokkala Keerthi Madhuri, D/o. Bokkala Srinivas,

.....Petitioners ✓

AND

1. The State of Telangana, Rep. by its Principal Secretary, Home Department, Secretariat, Hyderabad.
2. The Station House Officer, Mahankali Police Station, Hyderabad.
3. Kotha Ravinder Reddy, S/o. K. Sanjeeva Reddy, R/o. H.No.24-3-399, Villa No.34, Amity Homes, Prakashreddypet, Hanamkonda.

.....Respondents ✓

WHEREAS the Petitioners above named through their Advocate Sri Mettu Shankar, presented this petition under Article 226 of the Constitution of India, praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ, Order or Direction, more so, a Writ in the nature of Mandamus, by declaring the action of the respondents particularly respondent No.2 in harassing the petitioners and not following contemplated by the Apex Court in the Armesh Kumar vs. State of Bihar, under Section 41-A of Cr.PC (35 (3) of BNSS) in Crime No.73 of 2026 dated 14-04-2026, for alleged offence under Sections 316, 318(4), 351, r/w 3(5) BNS, pending before the 2nd respondent as illegal, arbitrary, un constitutional and infringement of fundamental rights guaranteed under the constitution of India and consequentially to direct the respondent No.2 follow the due process of law under Section 41-A of Cr.PC (35 (3) of BNSS);

AND WHEREAS the High Court upon perusing the petition and affidavit filed therein, and upon hearing the arguments of Sri Mettu Shankar, Advocate for the Petitioners, directed issue of notice to the Respondent No.3 herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

Kotha Ravinder Reddy, S/o. K. Sanjeeva Reddy, R/o. H.No.24-3-399, Villa No.34, Amity Homes, Prakashreddypet, Hanamkonda.

are directed to show cause on or before 25-06-2026 to which date the case stands posted as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

I.A. NO: 1 OF 2026:

Petition under Section 151 of C.P.C., praying that in the circumstances stated in the affidavit filed in the writ petition, the High Court may be pleased to direct the respondent No.2 follow the due process of law under Section 41-A of Cr.PC (35 (3) of BNSS), contemplated by the Apex Court in the Arnesh Kumar vs. State of Bihar in Crime No.73 of 2026 dated 14.04.2026, for alleged offence under Sections 316, 318(4), 351, r/w 3(5) BNS, pending disposal of WP No. 12937 of 2026, on the file of the High Court.

The Court made the following:

ORDER:

Notice before admission.

Sri M. Srinivas, learned Assistant Government Pleader for Home takes notice on behalf of respondent Nos. 1 and 2 and seeks time to obtain instructions/file counter, if necessary.

Issue notice, including personal notice to respondent No.3.

The proof of service to be filed by the next date of hearing.

Learned counsel appearing for the petitioners would submit that, although the petitioners have been arrayed as accused in FIR. No. 73 of 2026, dated 14-04-2026 on the file of Mahankali Police Station, Hyderabad, for offences punishable under Sections 316, 318(4), 351 read with 3(5) of the Bharatiya Nyaya Sanhita (BNS), the investigating authorities are mandated to issue notices under Section 35(3) BNS in accordance with the guidelines laid down by the Hon'ble Supreme Court in the matter of Arnesh Kumar V. State of Bihar [(2014) 8 SCC 273]. However, in deviation from the said procedure, respondent No.2 is exerting undue pressure on the petitioners and interfering with their personal life and liberty without following the due process of law.

This matter requires detailed examination and the facts can be ascertained only upon filing written instructions/counter-affidavit by the official respondents.

List on 25-06-2026.

In the meantime, as an interim measure, respondent No.2 is directed not to interfere in the petitioners' personal life and liberty, except in accordance with due process of law.

Sd/- P.C.SULEKHA DEVI
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Principal Secretary, Home Department, State of Telangana, Secretariat, Hyderabad.
2. The Station House Officer, Mahankali Police Station, Hyderabad. (Addressees 1 & 2 BY SPAD)
3. Kotha Ravinder Reddy, S/o. K. Sanjeeva Reddy, R/o. H.No.24-3-399, Villa No.34, Amity Homes, Prakashreddypet, Hanamkonda. (BY SPAD along with a copy of petition and affidavit)
4. Two CCs to GP for Home, High Court for the State of Telangana, at Hyderabad (OUT)
5. One CC to Sri Mettu Shankar, Advocate (OPUC)
6. One Spare Copy

HIGH COURT

EVV,J

DATE: 23-04-2026

NOTE: POST ON 25-6-2026

ORDER

WP. NO. 12937 OF 2026

DIRECTION

