

**(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 HON'BLE SRI JUSTICE J.SREENIVAS RAO
CRL.P. NO: 6780 OF 2026**

Between

1. K. Chandra Shekar, S/o. Late K. Bhairaiiah,
2. K. Sharadha, W/o. K. Rajender,

.....Petitioners/Accused No. 3 & 7 in Crime No. 135/26

AND

1. The State of Telangana, Represented by Public Prosecutor, High Court for the State of Telangana, Hyderabad, through Malakpet Police Station, Hyderabad

Respondent No.1

2. Polkampally Nagaraju, S/o. Late Rajagopal, R/o. H. No. 16-11-477/B, Flat No.406, Yadagiri Apartments, Moosarambagh, Dilsukhnagar, Hyderabad, Telangana - 500 060

Respondents

WHEREAS the Petitioners above named through their Advocate Sri R.K.Chitta, presented this petition under Section 528 of B.N.S.S., praying that in the circumstances stated in the grounds filed therein, the High Court may be pleased to allow this Petition by quashing the FIR No.135 of 2026 dated:13-04-2026, Malakpet Police Station, Hyderabad on the file of the Court of the VII Additional Judicial Magistrate at: Nampally, insofar as Petitioners/Accused No.3 & 9 are concerned, arising out of FIR No.135 of 2026 Dated:13-04-2026, Malakpet Police Station, Hyderabad:

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed therein, and upon hearing the arguments of Sri R.K.Chitta, Advocate for the Petitioners, and the Addl. Public Prosecutor, for 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:

Polkampally Nagaraju, S/o. Late Rajagopal, R/o. H. No. 16-11-477/B, Flat No.406, Yadagiri Apartments, Moosarambagh, Dilsukhnagar, Hyderabad, Telangana - 500 060

are directed to show cause on or before 01-07-2026 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: 2 OF 2026:

Petition under Section 528 of B.N.S.S., praying that in the circumstances stated in the petition, the High Court may be pleased to stay all further proceedings including arrest of the Petitioners in Crime No.135 of 2026 Dated:13-04-2026, Malakpet Police Station, Hyderabad on the file of the Court of the VII Additional Judicial Magistrate at: Nambally, pending disposal of Crl.P. No 6780 of 2026, on the file of the High Court.

The Court made the following:

ORDER:

Mr. R. K. Chitta, learned counsel for the petitioners submits that the petitioners have not committed any offence and have been falsely implicated in the present case. Even according to the allegations made in the complaint, the ingredients of the offences under Sections 127, 124, 217, 351(1), 354, and 356 of the Bharatiya Nyaya Sanhita, 2023 and Section 175(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023, for short (BNSS) are not attracted against the petitioners. He further submits that respondent No.2 filed a suit in O.S.No.734 of 2025 on the file of the VII Senior Civil Judge, City Civil Courts, Hyderabad against petitioners and others, claiming damages in respect of vehicle. In the said suit, petitioners have filed application *vide* I.A.No.611 of 2025, seeking rejection of plaint. When the said civil suit is pending respondent No.2 filed the private complaint on 11.09.2025 with very same allegations. He further submits that respondent No 2 has not filed sworn affidavit along with private complaint. In spite of the same, the trial Court on 01.04.2026, referred the matter to the police for investigation and the same is contrary to the provisions of Section 175(3) of the BNSS. Hence, the continuation of the proceedings against the petitioners is a clear abuse of process of law.

Taking into consideration the above said submissions, this Court is of the view that the grounds, which were raised by the learned counsel for the petitioners, require detailed examination.

Notice before admission.

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

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

Post on 01.07.2026.

Till then there shall be an interim stay of all further proceedings against petitioners/accused Nos.3 and 9 in Crime No.135 of 2026 of Malakpet Police Station, Hyderabad.

In default of filing proof of service, the stay shall stand vacated.

Sd/- M.JAWAHAR REDDY
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The VII Addl. Judicial Magistrate at Nampally, Hyderabad.
2. The Station House Officer, Malakpet Police Station, Hyderabad.
3. Polkampally Nagaraju, S/o. Late Rajagopal, R/o. H. No. 16-11-477/B, Flat No.406, Yadagiri Apartments, Moosarambagh, Dilsukhnagar, Hyderabad, Telangana - 500 060 (BY SPAD along with a copy of petition and grounds)
4. Two CCs to Public Prosecutor, High Court for the State of Telangana, at Hyderabad (OUT)
5. One CC to Sri R.K. Chitta, Advocate (OPUC)
6. One spare Copy

HIGH COURT

JSR,J

DATE: 29-04-2026

NOTE: POST ON 01-07-2026

NOTICE BEFORE ADMISSION

CRL.P. NO. 6780 OF 2026

INTERIM STAY

