

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

WEDNESDAY, THE SIXTH DAY OF MAY
TWO THOUSAND AND TWENTY SIX

:PRESENT:
THE HONOURABLE SRI JUSTICE J SREENIVAS RAO
CRLP NO: 7274 OF 2026

Between

1. Dr.Naveen Cheetupally, S/o Mallikarjun
2. Dr. Mrs Shravani, W/o Naveen Chettupally

.....Petitioner/Accused A1 AND A3

AND

1. The State of Telangana and 2 others through the P S Jawaharnagar, Ranga Reddy Rep by the Public Prosecutor High Court Buildings Hyderabad
2. Y A Suzan Paul, W/o S C Das Paul aged major 0cc Teacher,
3. S C Das Paul, S/o Late Sundar Raj aged about 39 0cc Private Service Both respondent No 2 and 3 are R/o H No 2318/11 Shantinagar Balajinagar Shamirpet Mandal

Respondents

WHEREAS the Petitioner above named through their Advocate Sri. J C FRANCIS 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 proceedings of CC.No.1332/2019 on the file of the 3rd ADDITIONAL JUNIOR CIVIL JUDGE CUM-10TH ADDITIONAL JUDICIAL FIRST CLASS MAGISTRATE AT MEDCHAL, MEDCHAL MALKAJGIRI DISTRICT. and pass such other order or orders may deem fit and proper in the circumstances of the case.

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri. J C FRANCIS Advocate for the Petitioner and PUBLIC PROSECUTOR for the respondent directed issue of notice to the Respondents herein to show cause as to why this CRIMINAL PETITION should not be admitted.

You viz:

1. Y A Suzan Paul, W/o S C Das Paul, Occ: Teacher, R/o H No 2318/11 Shantinagar Balajinagar Shamirpet Mandal
2. S C Das Paul, S/o Late Sundar Raj Occ: Private Service, R/o H No 2318/11 Shantinagar Balajinagar Shamirpet Mandal

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: 2 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 of CC.No.1332/20 on the file of the 3rd ADDITIONAL JUNIOR CIVIL JUDGE CUM- 10TH ADDITIONAL JUDICIAL FIRST CLASS MAGISTRATE AT MEDCHAL MEDCHAL MALKAJGIRI DISTRICT. including the appearance of the petitioners and pass such other order or orders may deem fit and proper in the circumstances of the case., Pending disposal of CRLP No 7274 of 2026, on the file of the High Court.

The Court made the following:

ORDER

Upon perusal of the record, it reveals that in Cri.P.No.1687 of 2020, this Court on 05.03.2025, while quashing the cognizance order, directed the learned trial Court to take steps to proceed with the matter in accordance with law by recording *prima facie* satisfaction while taking cognizance. In the present case, the learned Magistrate has taken cognizance on 12.02.2026 against the accused and issued summons. It is trite law that the learned trial Court ought to have taken cognizance against the offences and not against the accused as held 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.

¹ (2015) 4 SCC 609

² (2008) 17 SCC 157

In view of the above, issue 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 Nos.2 and 3 through speed post with acknowledgment due and file proof of service.

Post on 22.06.2026, in the 'adjourned motion list'.

Till such time, there shall be an interim stay of all further proceedings against the petitioners/accused Nos.1 and 3 in C.C.No.1332 of 2019 on the file of the III Additional Junior Civil Judge-cum-X Additional Judicial First Class Magistrate at Medchal Malkajgiri District.

In default of filing proof of service by the next date of hearing, the interim stay granted shall stand vacated.

Sd/- L.Vijaya Lakshmi
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The 3rd ADDITIONAL JUNIOR CIVIL JUDGE CUM-10TH Additional Judicial First Class Magistrate At Medchal, Medchal Malkajgiri District.
2. The Station House Officer, Jawahar Nagar P.S, Rachakonda
3. Y A Suzan Paul, W/o S C Das Paul, Occ: Teacher, R/o H No 2318/11 Shantinagar Balajinagar Shamirpet Mandal, Medchal Malkajgiri District.
4. S C Das Paul, S/o Late Sundar Raj Occ: Private Service, R/o H No 2318/11 Shantinagar Balajinagar Shamirpet Mandal, Medchal Malkajgiri District [RR 3 & 4 by SPAD-along with a copy of petition and affidavit/memorandum of grounds]
5. One CC to Sri. J C FRANCIS Advocate [OPUC]
6. Two CCs to PUBLIC PROSECUTOR High Court for the State of Telangana, at Hyderabad [OUT]
7. One spare copy

HIGH COURT

JSR, J

DATED: 06-05-2026

LIST ON: 22.06.2026

NOTICE BEFORE ADMISSION

CRLP.No.7274 of 2026

STAY

