

**(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: 7312 OF 2026**

**Between**

Mullangi Kishan Gandhi, (A7) S/o. Late M.Mohan Babu, aged about 40 years,  
Occ Business, R/o. Flat No.201, MNR Canny Elite, Kushaiguda, Kapra,  
Hyderabad, 500 062.

**.....PETITIONER/Accused**

**AND**

1. The State of Telangana, Represented by its Public Prosecutor, High Court for the State of Telangana, Hyderabad.
2. Sri. Nimmagadda Raja Giridhar Kumar, S/o N. Janardhan Rao, age 54 year, Occ Business, R/o H.No.1046, road No. 52, Jubilee Hills, Hyderabad Cell No 9848157949

**Respondents/defacto complainant**

WHEREAS the Petitioner above named through his Advocate Sri. D RAMAKRISHNA 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 all further proceedings in C.C.No. 2491 of 2021 on the file of the XII Additional Chief Metropolitan Magistrate, Hyderabad, against the petitioner in the interest of justice.

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

Sri. Nimmagadda Raja Giridhar Kumar, S/o N. Janardhan Rao, age 54 year, Occ Business, R/o H.No.1046, road No. 52, Jubilee Hills, Hyderabad Cell No 9848157949

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 pleased to stay all further proceedings including appearance of the petitioners in C.C.No. 2491 of 2021 on the file of the XII Additional Chief Metropolitan Magistrate, Nampally, Hyderabad, Pending disposal of CRLP No 7312 of 2026, on the file of the High Court.

**The Court made the following:**

**ORDER**

Upon perusal of the record, it reveals that the learned Magistrate has taken cognizance on 17.02.2021 without assigning any reasons and issued summons to the accused without recording the satisfaction, which is contrary to the principles laid down by the Hon'ble Apex Court in *Sunil Bharati Mittal v. Central Bureau of Investigation*<sup>1</sup> and *Fakhruddin Ahmad v. State of Uttaranchal and another*<sup>2</sup>.

Learned counsel for the petitioner submits that the matter before the trial Court has not been ripe for trial yet and is at the stage of summons.

In view of the above, issue notice before admission.

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

Post on 06.07.2026.

The presence of the petitioner/accused No.7 in C.C.No.2491 of 2021 on the file of the XII Additional Chief Metropolitan Magistrate of First Class, Nampally, Hyderabad, is dispensed with, subject to the condition that he shall be represented through his counsel on each and every date of hearing. If the presence of the petitioner/accused No.7 is required, he shall appear before the trial Court. In case of non-appearance on the specific date fixed by the trial

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<sup>1</sup> (2015) 4 SCC 609

<sup>2</sup> (2008) 17 SCC 157

Court for his appearance, the trial Court is entitled to proceed with the matter, in accordance with law.

**Sd/- B.G.VYJAYANTHI**  
ASSISTANT REGISTRAR

**//TRUE COPY//**

  
**SECTION OFFICER**

**To,**

1. The XII Additional Chief Metropolitan Magistrate, First Class, Nampally Hyderabad.
2. The Station House Officer, CCS police Station, Hyderabad.
3. Sri. Nimmagadda Raja Giridhar Kumar, S/o N. Janardhan Rao, age 54 year, Occ Business, R/o H.No.1046, road No. 52, Jubilee Hills, Hyderabad Cell No 9848157949[by SPAD-along with a copy of petition and memorandum of grounds]
4. One CC to Sri. D RAMAKRISHNA 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: 06-05-2026**

**Post on 06.07.2026**

**NOTICE BEFORE ADMISSION**

**CRLP.No.7312 of 2026**

**DIRECTION**

