

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

TUESDAY, THE FIFTH DAY OF MAY
TWO THOUSAND AND TWENTY SIX

:PRESENT:
THE HONOURABLE SRI JUSTICE J SREENIVAS RAO
CRLP NO: 7371 OF 2026

Between

A. LAXMAN RAO, S/o Hanumanth Rao,

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

AND

1. THE STATE OF TELANGANA, Rep. by Public Prosecutor, High Court of Telangana, Hyderabad.
2. THE STATION HOUSE OFFICE, KUC, Warangal.
3. KALUVALA NIKHIL SWAROOP, S/o Late Shankar Prasad, Caste.- Munnuru Kapu, Occupation. - Advocate, R/o H.No. 105-A, MLA Colony, Road No.12, Banjarahills, Hyderabad, Telangana.

Respondents/De-facto Complainant

WHEREAS the Petitioner above named through his Advocate Sri. JASWANTH SINGH THAKUR 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 vide C.C. No. 1793 of 2025, dated 21-07-2025, Consequentially Quash Cognizance Order Dated : 21-07-2025, on the files of the IIIrd Addl. Judicial First Class Magistrate, at Hanumakonda.

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri. JASWANTH SINGH THAKUR Advocate for the Petitioner, and Additional Public Prosecutor, for the Respondent Nos.1 and 2 directed issue of notice to the Respondent No.3 herein to show cause as to why this CRIMINAL PETITION should not be admitted.

You viz:

Kaluvala Nikhil Swaroop, S/o Late Shankar Prasad, Caste:- Munnuru Kapu, Occupation. - Advocate, R/o H. No. 105-A, MLA Colony, Road No.12, Banjarahills, Hyderabad, Telangana.

are directed to show cause on or before 13.07.2026 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 proceeding in Charge Sheet vide C.C. No. 1793 of 2025, dated 21-07-2025, Consequentially Quash Cognizance Order Dated: 21-07-2025, on the files of the IIIrd Addl. Judicial First Class Magistrate, at Hanumakonda, pending disposal of the Criminal Petition.

The Court made the following:

ORDER

Upon perusal of the record, it reveals that the learned Magistrate has taken cognizance on 21.07.2025, 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 Investigation¹* and *Fakhruddin Ahmad v. State of Uttaranchal and another²*.

Notice before admission.

Learned Additional Public Prosecutor takes notice on behalf of respondent Nos.1 and 2.

Learned counsel for the petitioner is permitted to take out personal notice to respondent No.3 through speed post with acknowledgment due and file proof of service.

Post on 13.07.2026.

The presence of the petitioner/accused in C.C.No.1793 of 2025 on the file of the III Additional First Class Magistrate at Hanumakonda, 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 is required, he shall appear before the trial Court. In case of non-appearance on the specific date fixed by the trial Court for

¹ (2015) 4 SCC 609

² (2008) 17 SCC 157

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

Sd/- A.JAYASREE

ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Illrd Addl. Judicial First Class Magistrate, at Hanumakonda.
2. The Station House Officer, K.U.C Police Station, Warangal.
3. Kaluvala Nikhil Swaroop, S/o Late Shankar Prasad, Caste.- Munnuru Kapu, Occupation. - Advocate, R/o H. No. 105-A, MLA Colony, Road No.12, Banjarahills, Hyderabad, Telangana.[by SPAD-along with a copy of petition and memorandum of grounds]
4. One CC to Sri. JASWANTH SINGH THAKUR 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: 05-05-2026

NOTICE BEFORE ADMISSION

POST ON 13.07.2026

CRLP.No.7371 of 2026

DIRECTION

