

(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: 7645 OF 2026

Between

Addanki Venkata Koteswar Rao S/o Sri A.Venkat Rao

.....Petitioner/Accused No.1

AND

1. State Of Telangana, rep.by SHO PS Nandigama, Thru the Public Prosecutor,
High Court for the State of Telangana, Hyderabad

Respondent/Complainant

2. Smt. Rudraraju NSD Prashanthi, W/o.Indukuri Banu Phani Chaitanya Kumar
Varma, Occ. Housewife, R/o.Flat No.G2, Stanley A, SMR Vinay Iconia,
Serilingampally, Kondapur-500084, Ranga Reddy District

Respondent/Defacto Complainant

WHEREAS the Petitioner above named through his Advocate MS.KANUMURI KALYANI 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 call for the records pertaining to FIR No.101 of 2026 dt.25.04.2026 of P.S., Nandigama, Ranga Reddy District and quash the same in so far as the petitioner herein / accused No.1 therein is concerned.

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of SRI KANUMURI KALYANI Advocate for the Petitioner, ADDITIONAL 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;

1. Smt. Rudraraju NSD Prashanthi, W/o.Indukuri Banu Phani Chaitanya Kumar Varma, Occ. Housewife, R/o.Flat No.G2, Stanley A, SMR Vinay Iconia, Serilingampally, Kondapur-500084, Ranga Reddy District

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 affidavit/grounds filed in support of the CRIMINAL PETITION, the High Court may be pleased to stay all further proceedings in respect of FIR No.101 of 2026 dt.25.04.2026 of P.S., Nandigama, Ranga Reddy District including arrest in so far as the petitioner herein / accused No.1 therein is concerned, pending disposal of CRLP No 7645 of 2026, on the file of the High Court.

The Court made the following:

ORDER

Notice before admission.

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

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.

Ms. Kanumuri Kalyani, learned counsel for the petitioner submits that the petitioner has not committed the alleged offences and has been falsely implicated in the present case. The allegations levelled in the complaint are purely civil in nature. Even according to the allegations made in the complaint the ingredients of the offences under Sections 318(4), 316(2), 61(2) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023 are not attracted against the petitioner/accused No.1. Respondent No.2 ought to have approached the competent Civil Court, on the other hand, filed the present complaint by giving it a criminal colour.

She further submits that the allegations leveled against the petitioner are punishable with imprisonment of less than seven years and the Investigating Officer, without following the mandatory procedure prescribed under Section 35(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') and without following the guidelines formulated by the Hon'ble Supreme Court in Arnesh Kumar Vs. State of Bihar¹, is proceeding further in the matter and the same is contrary to law.

Taking into consideration the above submissions, this Court is of the *prima facie* view that there is force in the submissions made by the learned counsel for the petitioner. However, this Court would not be justified in granting a stay of further investigation pending the proceedings under Section 528 of the BNSS.

Hence, the Investigating Officer is directed to follow the due procedure as contemplated under the provisions of the BNSS and guidelines issued by the Hon'ble Supreme Court in the judgment of Arnesh Kumar *supra*, insofar as petitioner/accused No.1 is concerned.

Sd/- K.BHAVANI SWAMY
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

¹(2014) 8 SCC 273

To,

1. The Principal Judicial First Class Magistrate, Shadnagar
2. The Station House Officer, Police Station, Nandigama, Ranga Reddy District
[by SPAD]
3. Smt. Rudraraju NSD Prashanthi,, W/o.Indukuri Banu Phani Chaitanya Kumar
Varma, Occ. Housewife, R/o.Flat No.G2, Stanley A, SMR Vinay Iconia,
Serilingampally, Kondapur-500084, Ranga Reddy District[by SPAD-along with
a copy of petition and affidavit/memorandum of grounds]
4. One CC to SRI KANUMURI KALYANI 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.7645 of 2026

DIRECTION

