

(SHOW CAUSE NOTICE BEFORE ADMISSION)
HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
FRIDAY, THE TWELFTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO ✓
CRIMINAL PETITION NO: 16509 OF 2025

Between:

1. Thummala Ashok Reddy, S/o. Laxman Reddy
2. S. Gopal Reddy, S/o. Venkat Reddy
3. Katipally Narendar Reddy, S/o. Laxma Reddy
4. G. Vijay Kumar Reddy, S/o. Basanth Reddy
5. P. Prabhakar Gupta, S/o. Viswanatham

...Petitioners / A – 1 to A – 5

AND

1. The State of Telangana, Rep by its Public Prosecutor, High Court for the State of Telangana at Hyderabad.
2. Gonti Gangadhar @ Gonti Gangaram, S/o. Poshetty, Aged about 57 years, Occ: Advocate, R/o. H.No.1-42, Mubaraknagar, Nizamabad.

...Respondents / Complainant

WHEREAS the Petitioners/Accused above named through their Advocate M/s. D. BHASKAR REDDY 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 in connection with the docket order dt.18/03/2025 passed in SC SPL No.28 of 2025 on the file of the Special Judge for Trial of Cases under SCs/STs POA Act-cum-II Additional District and Sessions Judge, Nizamabad and quash the same in so far as Petitioners/A-1 to A-5 are concerned.

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of M/s. D. BHASKAR REDDY Advocate for the Petitioners and the learned Additional Public Prosecutor, who takes notice on behalf of Respondent No.1, directed issue of notice to the Respondents herein to show cause as to why this CRIMINAL PETITION should not be admitted.

You viz:

Gonti Gangadhar @ Gonti Gangaram, S/o. Poshetty, Aged about 57 years, Occ: Advocate, R/o. H.No.1-42, Mubaraknagar, Nizamabad.

are directed to show cause on or before 27-01-2026 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.

IA NO: 1 OF 2025

Petition under Section 528 of B.N.S.S. praying that in the circumstances stated in the affidavit filed in support of the criminal petition, the High Court may be pleased to stay all further proceedings including appearance of the petitioners / A-1 to A-5 in SC SPL No.28 of 2025 on the file of the Special Judge for Trial of Cases under SCs/STs POA Act-cum-II Additional District and Sessions Judge, Nizamabad, pending disposal of CRLP No.16509 of 2025, on the file of the High Court.

THE COURT MADE THE FOLLOWING ORDER:

Notice before admission.

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

List on 27.01.2026.

After perusal of the record, it reveals that based on the complaint lodged by respondent No.2, Crime No.45 of 2019 was registered. The Investigating Officer, after conducting investigation, filed a final report stating that the matter is "civil in nature." Thereafter, respondent No.2 filed a protest petition vide Crl.M.P.No.452 of 2022. The protest petition was allowed by the trial Court on 21.01.2025 without assigning any reasons. Thereafter, cognizance was taken through a docket order dated 18.03.2025, even without recording satisfaction.

The order dated 21.01.2025 and the docket order dated 18.03.2025 are contrary to the principles laid down by the Hon'ble Apex Court in *Sunil Bharti Mittal v. Central Bureau of Investigation* [(2015) 4 SCC 609] and *Fakhruddin Ahmad v. State of Uttaranchal* [(2008) 17 SCC 157].

Taking into consideration the facts and circumstances of the case, this Court is of the considered view that a detailed examination is required for adjudication of the matter.

There shall be stay of all further proceedings in SC.SPL.No.28 of 2025 on the file of the Special Judge for Trial of Cases under the SCs/STs (POA) Act-cum-II Additional District & Sessions Judge, Nizamabad, for a period of eight (08) weeks.

P.C. SULEKHA DEVI
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Special Judge for Trial of Cases under SCs/STs POA Act-cum-II Additional District and Sessions Judge, Nizamabad.
2. The Station House Officer, Police Station, Rural Nizamabad District.
3. Gonti Gangadhar @ Gonti Gangaram, S/o. Poshetty, Aged about 57 years, Occ: Advocate, R/o. H.No.1-42, Mubaraknagar, Nizamabad. (by SPAD along with a copy of petition and memorandum of grounds).
4. One CC to M/s. D. BHASKAR REDDY, Advocate [OPUC].
5. Two CCs to ADDITIONAL PUBLIC PROSECUTOR, High Court for the State of Telangana at Hyderabad [OUT].
6. One spare copy
ZEE

HIGH COURT

JSRJ

DATED:12/12/2025

LIST ON 27.01.2026

NOTICE BEFORE ADMISSION

CRLP.No.16509 of 2025



INTERIM STAY