

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

TUESDAY, THE TWENTY THIRD DAY OF DECEMBER

TWO THOUSAND AND TWENTY FIVE

:PRESENT:
THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 17521 OF 2025

Between:

1. Mogalagani Nagamani, W/o Mogalagani Venkateswarlu
2. Mogalagani Vehkateswarlu, S/o Bixam,

...Petitioners/Accused Nos.2 and 3

AND

1. State of Telangana, Rep.by the Public Prosecutor, High Court of Telangana,
At Hyderabad.

...Respondent /Complainant

2. XXXXX, (The name of the Defacto Complainant is not disclosed as the matter
relates to POCSO Act)

...Respondent/De-facto Complainant

WHEREAS the Petitioners above named through their Advocate Ms. SURABHI KAKKAD 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 SC POCSO No.34 / 2025 on the file of Fast Track Special Court for Expeditious Trial and Disposal of Rape and POCSO Act cases, Suryapet and quash the same against petitioners/ Accused Nos.2 and 3.

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri. J.PRABHAKAR, Senior Counsel representing Ms. SURABHI KAKKAD Advocate for the Petitioners and 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:

XXXXX, (The name of the Defacto Complainant is not disclosed as the matter relates to POCSO Act)

are directed to show cause on or before 16.02.2026 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 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 SC POCSO No.34 / 2025 on the file of Fast Track Special Court for Expeditious Trial and Disposal of Rape and POCSO Act cases, Suryapet.

The Court made the following:
ORDER:

Sri J.Prabhakar, learned Senior Counsel representing Ms. Surabhi Kakkad, learned counsel for the petitioners submits that the petitioners have not committed any offence. They were falsely implicated in the present case. Even according to the allegations either in the complaint or in the final report, the ingredients under Sections 64(2)(m), 115(2), 352, 79 of Bharatiya Nyaya Sanhitha, 2023 and Section 5(1) and 6 of POCSO Act, 2012 do not attract against the petitioners.

Taking into consideration the above said submissions, this Court is of the view that the matter requires detailed examination.

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.

Learned Additional Public Prosecutor waives notice on behalf of respondent No.1 and seeks a week's time to issue notice to the victim.

Post on 16.02.2026.

In the meantime, there shall be stay of all further proceedings in SC POCSO No.34 of 2025 on the file of Fast Track Special Court for Expeditious Trial and Disposal of Rape and POCSO Act Cases, Suryapet.

In default of filing proof of service by the next date of hearing, the interim order stands vacated.

SD/-N.SRIHARI
DEPUTY REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Fast Track Special Court for Expeditious Trial and Disposal of Rape and POCSO Act cases, Suryapet.
2. The Addl. District & Sessions Judge Court at Suryapet.
3. The Station House Officer, Nadigudem P.S, Suryapet District.
4. XXXXX, (The name of the Defacto Complainant is not disclosed as the matter relates to POCSO Act) (by SPAD- along with a copy of petition and memorandum of grounds)
5. One CC to SRI. SURABHI KAKKAD Advocate [OPUC]
6. Two CCs to Public Prosecutor, High Court for the State of Telangana, Hyderabad (OUT)
7. One spare copy

HIGH COURT

JSR,J

DATED:23/12/2025

POST ON 16.02.2026

NOTICE BEFORE ADMISSION

CRLP.No.17521 of 2025

STAY

