

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

WEDNESDAY, THE TWENTY FOURTH DAY OF DECEMBER

TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 17491 OF 2025

Between:

Marneni Ravi Bernaiah, S/o Late Arogyaiah,

...Petitioner/Accused

AND

1. The State of Telangana, Represented by its Public Prosecutor, High Court buildings, Hyderabad.
2. Putti Vinay Kumar, S/o Bala Chinnaiah, Occ. Contract Employee, R/o Kammagudem Village of Marriguda Mandal, Nalgonda District, Temporarily residing at Flat NO. 103, JLNR Residency, Venkata Sai Nagar, K.V.Ranga Reddy, Jillelguda, Hyderabad.

...Respondents/Complainant

WHEREAS the Petitioner above named through his Advocate SRI MADANU NARESH 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 proceedings in C.C. No. 121 of 2021, on the file of the Addl. Judicial First Class Magistrate at Devarakonda against the petitioner /Accused.

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of SRI MADANU NARESH Advocate for the Petitioner 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:

Putti Vinay Kumar, S/o Bala Chinnaiah, Occ. Contract Employee, R/o Kammagudem Village of Marriguda Mandal, Nalgonda District, Temporarily residing at Flat No. 103, JLNR Residency, Venkata Sai Nagar, K.V.Ranga Reddy, Jillelguda, Hyderabad.

are directed to show cause on or before 23.02.2026 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 petitioner in C.C. No. 121 of 2021, on the file of the Addl. Judicial First Class Magistrate at Devarakonda, pending disposal of the Criminal Petition.

The Court made the following:

ORDER:

Mr.M.Naresh, learned counsel for the petitioner, submitted that respondent No.2 filed a private complaint for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881 (for short 'NI Act') before the learned Additional Judicial First Class Magistrate, Devarakonda, against the petitioner, though the said Court is not having territorial jurisdiction to entertain the complaint. On the other hand, the learned Magistrate took cognizance of the offence under Section 138 of the NI Act. Even according to the averments made in the complaint, the petitioner had issued the cheque drawn on ICICI Bank, Vanasthalipuram Branch, and respondent No.2 presented the said cheque in the very same branch, and the same was returned unpaid with the endorsement "Funds Insufficient." Hence, respondent No.2 ought to have filed the private complaint before the Court having competent territorial jurisdiction. Instead, the complaint was intentionally filed before the learned Additional Judicial First Class Magistrate, Devarakonda, which does not have territorial jurisdiction to entertain the same.

In support of his contention, he relied upon the principle laid down by the Hon'ble Apex Court in *Jai Balaji Industries Limited and others v. Heg Limited*¹.

He further submitted that C.C.No.121 of 2021 before the trial Court is posted for examination of the petitioner.

¹ 2025 SCC OnLine SC 2581

Taking into consideration the above submissions, this Court is of the view that detailed examination is required for adjudication of the case.

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 by way of Speed Post with Acknowledgment Due and file proof of service.

Post on 23.02.2026.

Till then, there shall be an interim stay of all further proceedings against the petitioner/accused in C.C.No.121 of 2021 on the file of the Additional Judicial First Class Magistrate at Devarakonda. In default of filing proof of service, the stay shall stand vacated.

**Sd/- T.SRINIVAS REDDY
ASSISTANT REGISTRAR**

//TRUE COPY//


SECTION OFFICER

To,

1. The Addl. Judicial First Class Magistrate at Devarakonda.
2. Putti Vinay Kumar, S/o Bala Chinnaiah, Occ. Contract Employee, R/o Kammagudem Village of Marriguda Mandal, Nalgonda District, Temporarily residing at Flat No. 103, JLN Residency, Venkata Sai Nagar, K.V.Ranga Reddy, Jillelguda, Hyderabad. (by SPAD- along with a copy of petition and memorandum of grounds)
3. One CC to SRI. MADANU NARESH Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court for the State of Telangana, Hyderabad (OUT)
5. One spare copy

HIGH COURT

JSR,J

DATED:24/12/2025

POST ON 23.02.2026.

NOTICE BEFORE ADMISSION

CRLP.No.17491 of 2025

INTERIM STAY

