

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

THURSDAY, THE TWENTY FOURTH DAY OF APRIL
TWO THOUSAND AND TWENTY FIVE

: PRESENT:

THE HON'BLE SRI JUSTICE K.LAKSHMAN
CRIMINAL PETITION NO: 5756 OF 2025

Between:

Padi Kaushik Reddy, S/o Padi Sainath Reddy

Petitioner/Accused

AND

1. The State of Telangana, rep. by its Public Prosecutor, High Court at Hyderabad.
2. Sri Smt. Katta Uma Devi, W/o Manoj Reddy, Occu. Household R/o H.No.2-7-741, Excise Colony, Hanamkonda, Dist. Warangal.

Respondent/Defacto Complainant

WHEREAS the Petitioner above named through his Advocate Sri T V Ramana Rao presented this Petition under Section 528 of BNSS, 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 relating to FIR No.252 of 2025 of P.S. Subedari, Dist. Warangal and Quash the same in the interests of justice;

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri T V Ramana Rao Advocate for the Petitioner, 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:

Sri Smt. Katta Uma Devi, W/o Manoj Reddy, Occu. Household R/o H.No.2-7-741, Excise Colony, Hanamkonda, Dist. Warangal.

are directed to show cause on or before 28.04.2025 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: 2 OF 2025

Petition under Section 528 of BNSS, 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 the arrest of the Petitioner/Accused in FIR No.252 of 2025 of P.S. Subedari, Dist. Warangal, pending disposal of CRLP No. 5756 of 2025, on the file of the High Court.

The Court made the following

ORDER:

Notice to 2nd respondent.

Personal notice is permitted.

Learned counsel for petitioner shall file proof of service of notice on 2nd respondent, before the Registry.

List on 28.04.2025.

In the complaint dated 21.04.2025, 2nd respondent alleged that petitioner threatened her husband previously and extorted an amount of Rs.25,00,000/-. Again, petitioner has called her husband on 18.04.2025 at 1:00 p.m. and demanded an amount of Rs.50,00,000/-. She has also mentioned the cell phone numbers.

Instead of 2nd respondent's husband lodging, 2nd respondent lodged the complaint with the Police Subedari. The only explanation offered by the learned Public Prosecutor is that the husband of 2nd respondent is not well.

It is relevant to note that though the alleged incident was on 18.04.2025 at 1:00 p.m., 2nd respondent has lodged the complaint on 21.04.2025 at 21:00 hours. Thus, there is a delay of 3½ days in lodging the aforesaid complaint. Further, without verifying the contents of the complaint dated 21.04.2025 lodged by 2nd respondent and conducting preliminary enquiry into the same, the Station House Officer, Subedari Police Station, registered the crime *vide* Crime No.252 of 2025 immediately on receipt of the said complaint on 21.04.2025 at 21:00 hours.

Learned Public Prosecutor has produced the statements of 2nd respondent, her husband and one Vaaka Satyanarayana and also Pokeda Giri Babu, driver of 2nd respondent.

Perusal of the statements of aforesaid persons would reveal that the Investigating Officer has recorded the statement of 2nd respondent on the same day of lodging the complaint i.e., 21.04.2025 and the statements of husband of 2nd respondent, Mr. Vaaka Satyanarayana and Mr. Pokeda Giri Babu, the driver of husband of 2nd respondent, on 22.04.2025.

In his statement, Mr. Pokeda Giri Babu, the driver of 2nd respondent has stated that petitioner came to the husband of 2nd respondent on 25.10.2023 at 5:00 p.m. and threatened him to pay an amount of Rs.25,00,000/-. Thereupon, the husband of 2nd respondent paid the said amount of Rs.25,00,000/- to petitioner. He has further stated that on 18.04.2025 at about 1:00 p.m., petitioner called the husband of 2nd respondent and demanded an amount of Rs.50,00,000/-.

It is relevant to note that in the present Criminal Petition, petitioner himself has admitted that about 25 days back, villagers of Gundedu, Kamalapur Mandal, Hanamkonda District, approached and informed him that the husband of 2nd respondent is conducting quarrying operations illegally, without obtaining permissions from the competent authorities. They have requested petitioner to intervene in the matter. Therefore, being a Public Representative, he has telephoned to the husband of 2nd respondent.

It is to be noted that on receipt of the complaint from the villagers about the illegal mining operations being conducted by the husband of 2nd respondent, petitioner being the Member of Legislative

Assembly from Huzurabad Constituency ought to have advised them to submit a representation to the authorities of Mining Department. Instead of doing so, petitioner has telephoned to the husband of 2nd respondent.

It is relevant to note that the Investigating Officer did not obtain any call data to ascertain the fact that petitioner called the husband of 2nd respondent twice on 18.04.2025, so far.

Admittedly, the investigation is pending.

It is the specific contention of petitioner that he belongs to BRS Party and there are Silver Jubilee Celebrations being conducted on 27.04.2025 at Elkathurthy Village and Mandal, within his Assembly Constituency i.e., Husnabad Assembly Constituency, of Hanamkonda District. He is actively participating in the arrangements. Hence, to prevent the petitioner from doing all the said things, at the instance of 2nd respondent, the police implicated the petitioner in the subject crime and there is a threat of arrest of the petitioner.

Sri T.V. Ramana Rao, learned counsel for petitioner has placed reliance on the judgment of the Hon'ble Supreme Court in *Imran Pratapgadhi v. State of Gujarat and another* {2025 LawSuit (SC) 427}.

In the light of the above, this Court is of the view that matter requires examination.

Therefore, till 28.04.2025, the Investigating Officer is directed not to arrest the petitioner in respect of Crime No.252 of 2025 of P.S.

Subedari. Further investigation may go on. However, petitioner shall cooperate with the investigation.

On perusal of the statements of aforesaid persons, as furnished by the learned Public Prosecutor, they were returned. Learned Public Prosecutor would submit that he will file copies of the said statements along with the counter.

**SD/-P.PADMANABHA REDDY
DEPUTY REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The III Additional Judicial First Class magistrate at Hanumakonda, Warangal District
2. The Station House Officer, Subedari Police Station, Warangal District
3. Sri Smt. Katta Uma Devi, W/o Manoj Reddy, Occu. Household R/o H.No.2-7-741, Excise Colony, Hanamkonda, Dist. Warangal. (by RPAD- along with a copy of petition and memorandum of grounds)
4. One CC to Sri T V Ramana Rao Advocate [OPUC]
5. Two CC to Public Prosecutor, High Court at Hyderabad (OUT)
6. One spare copy

HIGH COURT

KLJ

DATED:24/04/2025

NOTE: POST ON 28.04.2025

NOTICE BEFORE ADMISSION

CRLP.No.5756 of 2025

STAY OF ARREST

