

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

FRIDAY, THE SIXTH DAY OF MARCH
TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO
CRIMINAL PETITION NO: 3261 OF 2026

Between:

1. Palle Eswaraiah, S/o Palle Narayana
Petitioner No.1/Accused No.2
2. Palle Prasanna Latha, W/o Palle Eswaraiah
Petitioner No.2/Accused No.3
3. Palle Pranay, S/o. Palle Eswaraiah
Petitioner No.3/Accused No.4

AND

1. The State of Telangana, Rep. by its Public Prosecutor, High Court for the State of Telangana, Hyderabad.

Respondent No.1

2. Dr. P.Hanisha, W/o. Palle Prapul, Occ. Doctor, R/o.H.No.21-6-59/1, Ghansi Bazar, Charminar, Hyderabad.

Respondent No.2/Defacto Complainant

WHEREAS the Petitioners above named through their Advocate DR. J.VIJAYALAXMI 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 quash the proceedings in FIR No.21 of 2026, dated 12-02-2026 on the file of Women Police Station, South Zone, Hyderabad against the petitioners 1, 2 & 3/Accused No.A2, A3 & A4;

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of DR.J.VIJAYALAXMI, Advocate for the Petitioners and Addl. 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:

Dr. P.Hanisha, W/o. Palle Prapul, Occ. Doctor, R/o.H.No.21-6-59/1, Ghansi Bazar, Charminar, Hyderabad.

are directed to show cause on or before **27.04.2026** 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: 2 OF 2026

Petition under Section 528 of BNSS, praying that in the circumstances stated in the grounds filed in support of the petition, the High Court may be pleased to Stay all further proceedings against the petitioners 1, 2 & 3/Accused Nos. A2, A3 & A4 herein in FIR No.21 of 2026, dated 12-02-2026 on the file of Women Police Station, South Zone, Hyderabad, pending disposal of CRLP No.3261 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 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.

Ms.J.Vijaya Laxmi, learned counsel for the petitioners, submits that the petitioners have not committed the alleged offences and have been falsely implicated in the present crime by making omnibus allegations only on the ground that the petitioners are the parents and brother-in-law of accused No.1. She further submitted that the marriage of accused No.1 with respondent No.2 was performed on 26.11.2025 and respondent No.2 left the matrimonial house on 09.02.2026, having resided with accused No.1 only for a limited period. She further submitted that the petitioners never harassed respondent No.2 for any additional dowry, hence, the ingredients of Sections 85, 316(2), 351(2) and 79 of the Bharatiya Nyaya Sanhitha, 2023 and Sections 4 and 6 of the Dowry Prohibition Act, 1961 are not attracted against the petitioners and they are punishable with imprisonment of less than seven years. He further submitted that the Investigating Officer, without following the mandatory procedure prescribed under Section 35(3) of the Bharatiya Nagarik Suraksha Sanhitha, 2023 (for short 'BNSS') and without following the guidelines formulated by the

Hon'ble Supreme Court in *Arnesh Kumar Vs. State of Bihar*¹, 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 and accordingly, 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, insofar as petitioners/accused Nos.2 to 4 are concerned.

Post on 27.04.2026.

Sd/- S.MALLIKARJUNA RAO
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The XV Addl. Chief Judicial Magistrate at Nampally, Hyderabad.
2. The Station House Officer, Woman Police Station, South Zone, Hyderabad.
3. Dr. P.Hanisha, W/o. Palle Prapul, Occ.Doctor, R/o.H.No. 21-6-59/1, Ghansi Bazar, Charminar, Hyderabad (by SPAD- along with a copy of petition and memorandum of grounds)
4. One CC to DR.J. VIJAYALAXMI, Advocate [OPUC]
5. Two CCs to PUBLIC PROSECUTOR, High Court at Hyderabad [OUT]
6. One spare copy

¹(2014) 8 SCC 273

HIGH COURT

JSR, J

DATED:06.03.2026

POST ON 27.04.2026

NOTICE BEFORE ADMISSION

CRLP.No.3261 of 2026

DIRECTION

