

(SHOW CAUSE NOTICE BEFORE ADMISSION)

IN THE HIGH COURT FOR THE STATE OF TELANGANA  
AT HYDERABAD

THURSDAY, THE NINETEENTH DAY OF FEBRUARY  
TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO  
WRIT PETITION NO: 5190 OF 2026

**Between:**

1. Shaik Mohd Khadeer, S/o. Shaik Multani, Aged about 36 years, Occ. Business,
2. Smt. Syed Haseema Alam @ Syed Seemab Alam, W/o. Shaik Mohd Khadeer, aged about 32 years, Occ. Advocate, Both residing at Plot Nos. 69 and 70 in Survey Nos. 224, 273 and 266/1, Vattepally Village, Mailardevpally Mandal, Ranga Reddy District.

**Petitioner**

**AND**

1. The State of Telangana, Rep. by its Principal Secretary, Home Department, Secretariat, Hyderabad - 500022.
2. The Commissioner of Police, Hyderabad City Police, Office of the Commissioner of Police, Hyderabad.
3. The Additional Deputy Commissioner of Police, South Zone, Hyderabad City Police, Hyderabad.
4. The Station House Officer, Mailardevpally Police Station, Cyberabad, Ranga Reddy District.
5. The Station House Officer, Rajendranagar Police Station, Ranga Reddy District.

**Respondents**

WHEREAS the Petitioners above named through their Advocate M/s. B SHIRISHA presented this Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate Writ, Order or Direction, more particularly a Writ of Certiorari, calling for the records relating to FIR No.128/2026 dated 07.02.2026 on the file of Mailardevpally Police Station, registered for the offences under Sections 351(2), 112 of the Bharatiya Nyaya Sanhita read with Sections 3 and 4 of the Telangana Gaming Act, 1974, and quash the same along with all consequential proceedings as being illegal, arbitrary and without jurisdiction.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri B SHIRISHA Advocate for the Petitioners, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Principal Secretary, State of Telangana, Home Department, Secretariat, Hyderabad - 500022.
2. The Commissioner of Police, Hyderabad City Police, Office of the Commissioner of Police, Hyderabad.
3. The Additional Deputy Commissioner of Police, South Zone, Hyderabad City Police, Hyderabad.
4. The Station House Officer, Mailardevpally Police Station, Cyberabad, Ranga Reddy District.
5. The Station House Officer, Rajendranagar Police Station, Ranga Reddy District.

are directed to show cause on or before **23.03.2026** to which date the case stands posted as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

**IA NO: 2 OF 2026**

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct Respondent Nos.3 to 5 to preserve and immediately produce the CCTV DVR, which was forcibly taken away from the Petitioners' house at Plot Nos. 69 and 70 in Survey Nos. 224, 273 and 266/1, Vattepally Village, Mailardevpally Mandal, Ranga Reddy District, and verify the illegal warrantless raid conducted from 2.00 AM onwards on 07.02.2026, before this Hon'ble Court, and to return the equipment to the Petitioners after retaining certified copies, pending disposal of WP No. 5190 of 2026, on the file of the High Court.

**IA NO: 3 OF 2026**

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to stay all further proceedings in FIR No.128/2026 dated 07.02.2026 of Mailardevpally Police Station registered under Sections 351(2), 112 of the BNS R/w Sections 3 and 4 of the Telangana Gaming Act, 1974, and also direct the Respondent Nos.3 to 5 not to interfere with Petitioners residence/person without proper warrant and due process of law, pending disposal of WP No. 5190 of 2026, on the file of the High Court.

**The Court made the following:  
ORDER**

**Mr. Katika Ravinder Reddy, learned counsel representing Ms. B. Shirisha, 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 way of omnibus allegations, solely on the ground that petitioner No. 1 had earlier approached this Court by filing W.P. No. 40703 of 2025, questioning the action of respondent No. 2 therein in allegedly harassing, threatening, and illegally summoning the petitioner to his office. The said writ petition was disposed of on 07.01.2026, directing respondent No.**

2 to follow the due procedure contemplated under law before initiating any action against the petitioner. The petitioner was also directed to cooperate with the investigation in Crime No. 147 of 2024. It is further submitted that, thereafter, the present crime was registered and the police forcibly took away the CCTV DVR from the house of the petitioners on 07.02.2026. Hence, the continuation of the crime against the petitioners amounts to a clear abuse of process of law.

The learned Additional Public Prosecutor submits that the other accused in the present crime were found playing cards on the premises of the petitioners, which is prohibited under the provisions of the Telangana State Gaming Act. He further submits that, at the scene of offence, the police seized an amount of Rs. 1,21,900/-, two smartphones, and playing cards, and that the investigation is in progress. It is also submitted that the offences alleged against the petitioners are punishable with imprisonment of less than seven years and that the Investigating Officer has already issued notices under Section 35(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, "BNSS") to the other accused as well as to the petitioners, and that the mandatory procedure prescribed under Section 35(3) of the BNSS will be followed.

Taking into consideration the above submissions, this Court is of the prima facie view that the Investigating Officer ought to follow the procedure prescribed under Section 35(3) of the BNSS and the guidelines formulated by the Hon'ble Supreme Court in *Arnesh Kumar v. State of Bihar*. Insofar as the contention raised by the learned counsel for the petitioners is concerned, requires counter by the respondents.

Notice before admission.

Learned Assistant Government Pleader for Home takes notice on behalf of respondents and seeks weeks' time for filing counter.

At his request, list on 23.03.2026.

In the meantime, the investigating officer shall follow the procedure prescribed under Section 35(3) of the BNSS and the guidelines formulated by the Hon'ble Supreme Court in *Arnesh Kumar Vs. State of Bihar*<sup>1</sup>.

Sd/-M. OSMAN ALI BAIG  
ASSISTANT REGISTRAR

//TRUE COPY//

  
SECTION OFFICER

To,

1. The Principal Secretary, State of Telangana, Home Department, Secretariat, Hyderabad - 500022.

2. The Commissioner of Police, Hyderabad City Police, Office of the Commissioner of Police, Hyderabad.
3. The Additional Deputy Commissioner of Police, South Zone, Hyderabad City Police, Hyderabad.
4. The Station House Officer, Mailardevpally Police Station, Cyberabad, Ranga Reddy District.
5. The Station House Officer, Rajendranagar Police Station, Ranga Reddy District.  
(RR 1 to 5 by SPAD along with the copy of the petition and Affidavit)
6. One CC to Ms. B SHIRISHA Advocate [OPUC]
7. Two CCs to GP FOR HOME ,High Court at Hyderabad. [OUT]
8. One spare copy

**HIGH COURT**

**JSRJ**

**DATED:19/02/2026**

**LIST ON 23.03.2026**



**NOTICE BEFORE ADMISSION**

**WP.No.5190 of 2026**

**DIRECTION**