

Date: 31.01.2026

To

Sri. P. Venkatagiri,
ACP, Jubilee Hills Division, Hyderabad.

Sub: For appearance before ACP, Jubilee Hills division in connection with investigation in Cr No.243/2024– reg.

Ref: 1. Your letter dated 30.01.2026

2. My letter dated 29.01.2026

3. Your notice No.243/CR/PS-PG/Hyd/24-26 dated 29.01.2026

Your attention is invited to the above subject and references cited.

2. Vide the above referred to notice at Sl No.3, I was requested to be available for examination by you on 30.01.2026 at 15:00 at any place within Hyderabad City. In response to the same, I have sent letter dated 29.01.2026 to defer the examination for any other day in view of my pre-occupation with issuing authorizations to my party representatives. In my letter I have drawn your attention to the provisions of Section 160 of the Cr P C, which mandates examination of the persons above 65 years at the place where they are residing. Further I stated that all notices in future may be sent to the address mentioned above i.e., at my residence at Erravalli.

3. It appears, in response to my letter dated 29.01.2026, some persons whose identity is not known appears to have pasted a letter alleged to be under your signature on the compound wall of H.No.8-2-120/110/1/3, Nandinagar, Road No.14, Banjara Hills, Hyderabad at 9 PM. If the letter is sent by you and it is pasted on the wall as per your instructions, I take strong objection to the same and it indicates that you have no respect to the Constitution of India, the law and Hon'ble Supreme Court Judgements.

4. The Hon'ble Supreme Court of India in the case of "**Satender Kumar Antil V Central Bureau of Investigation and Another, reported in 2025 SCC Online SC 1322**, on the issue of service of notice to the accused and others under Section 41-A of Cr P C 1973/Section 35 of BNSS, 2023 and under Section 160 of Cr P C 1973/Section 179 of BNSS ,2023 issued the following directions in Para 11 of the judgement which are as follows:

"11. Having heard the parties and having deliberated upon the aforesaid submissions, this Court in furtherance of Paras. 100.2, 100.8 and 100.9 of Satender Kumar Antil v. CBI & Anr. (2022) 10 SCC 51, and its previous directions contained in earlier orders, deems it necessary to issue the following directions:

a) All the States/UTs must issue a Standing Order to their respective Police machinery to issue notices under Section 41-A of CrPC, 1973/Section 35 of BNSS, 2023 only through the mode of service as prescribed under the CrPC, 1973/BNSS, 2023. It is made amply clear that service of notice through WhatsApp or other electronic modes cannot be considered or recognised as an alternative or substitute to the mode of service recognised and prescribed under the CrPC, 1973/BNSS, 2023.

b) All the States/UTs while issuing Standing Orders to their respective Police machinery relating to Section 41-A of CrPC, 1973/Section 35 of BNSS, 2023 13 must be issued strictly in accordance with the guidelines issued by the Delhi High Court in Rakesh Kumar v. Vijayanta Arya (DCP) & Ors., 2021 SCC Online Del 5629 and Amandeep Singh Johar v. State (NCT Delhi), 2018 SCC Online Del 13448, both of which were upheld by this Court in Satender Kumar Antil v. CBI & Anr. (2022) 10 SCC 51.

c) All the States/UTs must issue an additional Standing Order to their respective Police machinery to issue notices under Section 160 of CrPC, 1973/Section 179

of BNSS, 2023 and Section 175 of CrPC, 1973/Section 195 of BNSS, 2023 to the accused persons or otherwise, only through the mode of service as prescribed under the Cr PC, 1973/BNSS, 2023.”

The copy of the above judgement is enclosed to this letter.

5. As per the above Judgement, the notice under Section 160 of Cr P C is required to be served as prescribed under Cr P C. Service of summons or notice is governed strictly by Chapter VI of the Code of Criminal Procedure. As per Section 62 (2) of the Cr P C, “The summons shall if practicable be served personally on the person summoned by delivering or tendering to him one of the duplicates of the summons”. However, you have deliberately and intentionally chose to ignore the mandate of law and the Hon’ble Supreme Court directions in the matter for which you can be charged with contempt of Hon’ble Supreme Court as the directions of the Supreme Court are the law of the land as per Article 141 of the Constitution of India. In my letter dated 29.01.2026, I stated that all future notices in the matter be sent to my residence at Erravalli only, however the same was ignored.

6. In view of the above, the alleged letter of your dated 30.1.2026 is not served as required by law and the same is illegal and I can simply ignore the same. Further such service is in violation of my dignity guaranteed by Article 21 of the Constitution of India and also Article 14 of the Constitution of India.

7. I have already brought to your notice in my letter dated 29.01.2026, the provisions of the section 160 (1) of the Cr.PC. As per the said section neither you have the jurisdiction nor power to issue notice to me for recording my statement in connection with the Crime No.243 of 2024, as I am not residing within the limits of your police station i.e.Jubilee Hills and any of the adjoining police stations . Therefore, the notice issued is without jurisdiction, illegal and ultra-vires the provisions of the section 160 of Cr.PC and not binding on me. The

Hon'ble High Court of Andhra Pradesh at Amaravathi, in the case of "V.D.Moorthy Vs State of Andhra Pradesh and others reported in 2025 SCC online AP page no 3099 dealt with question of authority of the police to issue notice under section 160 of Cr.PC to the persons not residing within his police station limits or adjoining stations. The Hon'ble High Court in para 20 of the judgement has summed up the legal position as follows:

(1) Power of the Police Officer making an investigation to have the presence of "any person" before him by issuing a notice under Section 179 of BNSS is not untrammelled.

(2) The said power is restricted to "any person" residing in the limits of his own Police Station or adjoining station.

(3) Despite the said person residing in the limits of his Police Station or any other adjoining station, in case of male below 15 and above 60 years, or woman, mentally or physically disabled or a person with acute illness irrespective of their age, shall be examined at the place of their residence under the first *proviso* to Section 179

(1) of BNSS. But the Police Officer can issue notice to such person under Section 179(1) of BNSS.

(4) The above persons may be permitted to be examined at the Police Station subject to their willingness, by the aid of second *proviso* to Section 179(1) of BNSS.

(5) Police Officer making an investigation has no power to issue notice under Section 179(1) of BNSS to any person who is not residing within the limits of his own station or any adjoining station.

(6) It does not preclude the Police Officer making an investigation to examine such person by approaching him at his place.

Various High Courts have also reiterated the same in the following cases:

The Hon'ble High Court of Delhi in the case of "Jamshed Adil Khan and Another Vs Union Territory of Jammu and Kashmir reported in 2022 SCC online Del 4870:(2022) 292 DLT 185.

The Hon'ble High Court of Himachal Pradesh in the case of "Krishan Bans Bhadur and another Vs The State of Himachal Pradesh reported in 1974 SCC online HP 39: 1975 Cri LJ 620.

The Hon'ble High Court of Delhi in the case of "Kulvinder Singh Kohli Vs State (NCT of Delhi) and others reported in 2022 SCC Online Del 1766.

The copies of the above judgements are enclosed to this letter.

8. In your letter dated 30.01.2026, you stated that my request for examination at my place of residing i.e. at Erravalli is not acceded to on the ground that as per official records i.e. Affidavit filed in connection with general elections to the assembly in December 2023 and assembly records, the address for correspondence is mentioned Nandi Nagar address. In this connection, you may note that the address mentioned in the election affidavit and assembly records has no relevance with regard to provisions of Section 160 of the Cr.PC 1973. The command of the Parliament under Section 160 of the Cr.PC is that any person who is aged more than 65 years can not be asked to visit the Police station and his statement shall be recorded only at the place of residing i.e. the place at which the concerned person is residing at the time of giving notice. The contemporary place of residence at which the person to whom the notice issued under section 160 is residing only relevant and no other place. It is undisputed fact as I am residing at Erravalli for the last several years and it is the place of my residence and you are duty bound by the command of the law to record my statement if required by you at the place at where I am residing i.e. H.No.3-96, Erravalli (V), Markook (M), Siddipet District-502279 and no other place.

9. In your notice dated 29.01.2026 you have requested me to indicate any place within the territorial jurisdiction of Hyderabad city for the purpose of recording my statement. It is your notice you have NOT mentioned that since my residence indicated in the so-called official records as Nandi Nagar you wanted to examine here only. Further in the case of one of our legislator Shri T.Harish Rao to whom a notice under Section 160 was issued with respect to the same case, the notice was served to him at Hyderabad even though as per election affidavit the place of residence is shown in Siddipet town. This shows your double

standards in the matter and shifting of your position. As per the law, I am not required to present myself at Nandi Nagar house for recording my statement and I can simply ignore the same.

10. From the legal provisions and judgements of the Hon'ble Supreme Court and various High Courts it is clear that:

- i) The pasting of your letter dated 30.01.2026 on the compound wall of Nandi Nagar house is no notice in the eye of the law and the same is contrary to the provisions of section 62 of the Cr.PC, the Hon'ble Supreme Court judgment in Satender Kumar Antil case and Article 14 and 21 of the Constitution of India and the same is illegal.
- ii) As per provisions of the 160 of Cr.PC as interpreted by the various High Courts, you have no jurisdiction and authority to issue notice to me for the purpose of recording my statement in connection with Crime No. 243 of 2024.
- iii) As per the proviso to Section 160(2) of the Cr.PC, you are duty bound to record my statement at my place of residing i.e. Erravelli and no other place.

11. Notwithstanding the above legal position, I being a former Chief Minister for the State of Telangana and present Leader of Opposition in the Legislative Assembly and also as a responsible citizen of this country in order to assist the department in the investigation of the subject crime, I would be available for my examination at 3pm on 01.02.2026 at Nandi Nagar residence as you are keen to record my statement there only.

Thanking you,


(K. Chandrashekhara Rao)