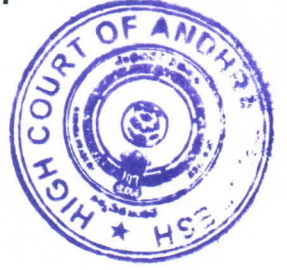




IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)



TUESDAY, THE TENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

WRIT PETITION NO: 3704 OF 2026

Between:

1. Sake Jaya Bharathi, C/o. Sake Thirupalu Aged 23 years, R/o. 5-29, Rapthadu, Ananthapuramu District - 515722.
2. Sake Adi Narayana, S/o. Sake Hanumanna, Aged 42 years, R/o. 5-29, Rapthadu, Ananthapuramu District - 515722,
3. Mala Narayanamma, W/o. Mala Hanumanna, Aged 74 years, R/o. 5-29, Rapthadu, Ananthapuramu District-515722

...Petitioners

AND

1. The State of A.P, Represented by its Principal Secretary Department of Home Affairs, Velagapudi Village, Amaravathi - 522238
2. The Director General of Police, Andhra Pradesh, Amaravathi - 522503
3. The Deputy Inspector General of Police, Ananthapuramu Range, Ananthapuramu - 515001
4. The Superintendent of Police, Ananthapuramu District, Ananthapuramu - 515001
5. The Circle Inspector of Police, Rapthadu Police Station, Ananthapuram District - 515001
6. The Station House Officer, Rapthadu Police Station, Ananthapuram District - 515001

7. Boya Nagaraju, S/o Not Known to the Petitioner, Aged about not known to the Petitioner, R/o Rapthadu Village and Mandal, Ananthapuramu District.
8. Boya Sekhar, S/o Not Known to the Petitioner, Aged about not known to the Petitioner R/o Rapthadu Village and Mandal, Ananthapuramu District.

...Respondents

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 a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondent No.6 in not registering the crime against the unofficial Respondents No.7 and 8, as illegal, arbitrary, high handed and violative of fundamental rights guaranteed to the Petitioner under Articles 14, 19 and 21 of the Constitution of India and consequently to direct the Respondent No.6 to register a crime against the Respondent No.7 and 8.

IA NO: 1 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct Respondent No.6 to register complaint against Respondents No.7 and 8.

Counsel for the Petitioners: SRI ARUN SHOWRI G

Counsel for the Respondent Nos.1 to 6: GP FOR HOME

The Court made the following Order:



IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)

[3521]

TUESDAY, THE TENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

WRIT PETITION NO: 3704/2026

Between:

1. SAKE JAYA BHARATHI, C/O. SAKE THIRUPALU AGED 23 YEARS
R/O. 5-29, RAPTHADU, ANANTHAPURAMU DISTRICT - 515722.
2. SAKE ADI NARAYANA, S/O. SAKE HANUMANNA, AGED 42 YEARS
R/O. 5-29, RAPTHADU, ANANTHAPURAMU DISTRICT - 515722,
3. MALA NARAYANAMMA, W/O. MALA HANUMANNA, AGED 74 YEARS
R/O. 5-29, RAPTHADU, ANANTHAPURAMU DISTRICT-515722

...PETITIONER(S)

AND

1. THE STATE OF AP, REPRESENTED BY ITS PRINCIPAL
SECRETARY DEPARTMENT OF HOME AFFAIRS VELAGAPUDI
VILLAGE, AMARAVATHI.522238
2. THE DIRECTOR GENERAL OF POLICE, ANDHRA PRADESH,
AMARAVATHI.522503
3. THE DEPUTY INSPECTOR GENERAL OF POLICE,
ANANTHAPURAMU RANGE, ANANTHAPURAMU.515001
4. THE SUPERINTENDENT OF POLICE, ANANTHAPURAMU DISTRICT,
ANANTHAPURAMU..515001
5. THE CIRCLE INSPECTOR OF POLICE, RAPTHADU POLICE
STATION, ANANTHAPURAM DISTRICT.515001
6. THE STATION HOUSE OFFICER, RAPTHADU POLICE STATION,

ANANTHAPURAM DISTRICT.515001

7.BOYA NAGARAJU, S/O NOT KNOWN TO THE PETITIONER, AGED ABOUT NOT KNOWN TO THE PETITIONER, R/O RAPTHADU VILLAGE AND MANDAL, ANANTHAPURAMU DISTRICT.

8.BOYA SEKHAR, S/O NOT KNOWN TO THE PETITIONER, AGED ABOUT NOT KNOWN TO THE PETITIONER R/O RAPTHADU VILLAGE AND MANDAL, ANANTHAPURAMU DISTRICT.

...RESPONDENT(S):

Counsel for the Petitioner(S):

1.ARUN SHOWRI G

Counsel for the Respondent(S):

1.GP FOR HOME

The Court made the following:

ORDER:

The Writ Petition has been filed for the following relief:

“...to a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondent No.6 in not registering the crime against the unofficial Respondents No.7 and 8, as illegal, arbitrary, high handed and violative of fundamental rights guaranteed to the Petitioner under Articles 14, 19 and 21 of the Constitution of India and consequently to direct the Respondent No.6 to register a crime against the Respondent No.7 and 8...”

2. Heard the learned counsel for the petitioners and the learned Assistant Government Pleader.
3. Mr. Arun Showri, learned counsel for the petitioners, submits that Respondent No.6 is not registering the petitioners' complaint as an FIR at the behest of the unofficial Respondents Nos.7 and 8.
4. Sri P.Ajay Babu, learned Assistant Government Pleader, on written instructions, submits that Respondent No.6 has conducted a preliminary enquiry under Section 173(3) of the Bharatiya Nyaya Sanhita, 2023 (for brevity, 'the BNSS'), and has observed that the dispute pending between the petitioners and the unofficial respondents is civil in nature. However, learned counsel for the petitioners contends that cognizable offences have been reported against unofficial Respondent No.2. Despite the same, Respondent No.6 has not taken any steps. There is an alternative efficacious remedy available to the petitioners by way of filing a private complaint before the learned Jurisdictional Magistrate.

5. Considering the facts and circumstances of the case, and recording the submissions of the learned Assistant Government Pleader, the Writ Petition is disposed of granting liberty to the petitioners to approach the learned Jurisdictional Magistrate by way of filing a complaint under Section 190 read with Section 200 of 'the Cr.P.C.' / Section 210 read with 223 of 'the BNSS'.

6. On filing of such private complaint by the petitioners before the learned Jurisdictional Magistrate, the learned Jurisdictional Magistrate is directed to bestow his attention to the same and deal with the complaint in accordance with law.

7. In the result, the Writ Petition is disposed of. There shall be no order as to costs.

As a sequel, Miscellaneous petitions, if any pending, shall stand closed.

SD/- U. SRIDEVI
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

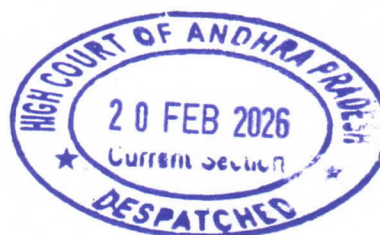
To,

1. One CC to Sri. Arun Showri G, Advocate [OPUC]
 2. Two CCs to GP for Home, High Court of Andhra Pradesh at Amaravati [OUT]
 3. Two CD Copies
- NAZ



**HIGH COURT
DATED:10/02/2026**

**ORDER
WP NO. 3704 OF 2026**



**DISPOSING THE W.P
WITHOUT COSTS.**