



**(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI**

MONDAY, THE NINTH DAY OF FEBRUARY,

TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL PETITION NO: 988 OF 2026

Between:

Ambati Rambabu, S/o Late Sri Anjneyulu, Aged about 66 Years, Ex. Minister, R/o D.No.4-20-28/2, 3rd lane Siddartha Nagar, Guntur City, Guntur District.

...Petitioner/Accused No.1

AND

1. The State of Andhra Pradesh, Rep. by its Public Prosecutor, High Court of Andhra Pradesh, Amaravati
2. The Station House Officer, Pattabhipuram Police Station, Guntur District.

...Respondents/Complainants

3. Nutakki Narahari, S/o Rajababu, Aged about 45 years, Sub Inspector, Pattabhipuram, Guntur

...Respondents/Defacto Complainant

WHEREAS the Petitioner/Accused above named through his Advocate Sri.R YELLA REDDY presented this Petition under Section 528 of BNSS, is filed praying that in the circumstances stated in the grounds filed in support of the Criminal Petition, the High Court may be pleased to quash Crime No.239 of 2025 dated 04.06.2025 on the file of Pattabhipuram Police Station, Guntur District, insofar as the Petitioner/Accused No.1 is concerned, for the alleged offences under Sections 132, 126(2), 223, 351(2), 270 read with Section 190 of the Bharatiya Nyaya Sanhita, 2023,

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri R

YELLA REDDY Advocate for the Petitioner, Public Prosecutor for R1 and 2 directed issue of notice to the Respondent No.3 herein to show cause as to why this CRIMINAL PETITION should not be admitted.

You viz:

Nutakki Narahari, S/o Rajababu, Sub Inspector, Pattabhipuram, Guntur are be and hereby directed to show cause either appearing in person or through an Advocate as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this CRIMINAL PETITION should not be admitted on or before 16.03.2026 for which date the case stands posted for hearing.

IA NO: 2 OF 2026

Petition under Section 528 of BNSS is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay all further proceedings in the said Crime No.239 of 2025 dated 04.06.2025 on the file of Pattabhipuram Police Station, Guntur District, insofar as the Petitioner/Accused No.1 is concerned, for the alleged offences under Sections 132, 126(2), 223, 351(2), 270 read with Section 190 of the Bharatiya Nyaya Sanhita, 2023, pending disposal of CRLP No. 988 of 2026, on the file of the High Court.

The Court made the following:

ORDER:

Heard the learned counsel for the Petitioner.

Learned Assistant Public Prosecutor takes notice for the State.

Learned counsel for the Petitioner would submit that all the offences are punishable below seven years of imprisonment and a direction may be given to the Police to follow the guidelines issued by Hon'ble Apex Court in Arnesh Kumar v. State of Bihar reported in (2014) 8 SCC 273, since Section 35(3) of BNSS is pari materia to Section 41-A of the Code of Criminal Procedure.

Learned Assistant Public Prosecutor fairly conceded the same and would submit that a direction may be given to the Police to follow the

procedure as established under Section 35(3) of BNSS since the offences are punishable with an imprisonment of below seven years. ✓

In that view, the Police are directed to follow the guidelines issued by the Hon'ble Apex Court in Arnesh Kumar v. State of Bihar (referred supra) scrupulously. ✓

Issue notice to Respondent No.3. ✓

Learned counsel for the Petitioner is permitted to take out personal notice on Respondent No.3 through Speed Post/Courier and file proof of the same. ✓

At request of learned Assistant Public Prosecutor, for getting instructions, list the matter on 16.03.2026. ✓

//TRUE COPY//

SD/- M.PRABHAKARA RAO
DEPUTY REGISTRAR

For

SECTION OFFICER

To,

1. The Station House Officer, Pattabhipuram Police Station, Guntur District ✓
2. Nutakki Narahari, S/o Rajababu, Sub Inspector, Pattabhipuram, Guntur ✓
(by RPAD- along with a copy of petition and memorandum of grounds)
3. One CC to SRI. R YELLA REDDY Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court of A.P. [OUT]
5. One spare copy. ✓

HIGH COURT

DR.VJP,J

DATED:09/02/2026

LIST THE MATTER ON 16.03.2026

NOTICE BEFORE ADMISSION

CRLP.No.988 of 2026

DIRECTION

