

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI
MONDAY, THE NINTH DAY OF FEBRUARY,
TWO THOUSAND AND TWENTY SIX



:PRESENT:

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA
CRIMINAL PETITION NO: 1018 OF 2026

Between:

1. Ambati Rambabu, S/o. Late Sri A.V.S.R. Anjaneyulu, Aged about 68 years, Ex-Minister, R/o. D.No. 4-20-28/2, 1st Lane, Siddhartha Nagar, Guntur City, Guntur District.
2. Jogi Ramesh, S/o. Mohan Rao, Aged about 56 years, Ex-Minister, R/o. Ibrahimpatnam, Vijayawada, NTR District.

...Petitioners/A1 and A2

AND

1. The State of Andhra Pradesh, Through S.H.O. Bhattiprolu Police Station, Bapatla District, Represented by Public Prosecutor, High Court of Andhra Pradesh, Amaravathi.

...Respondent

2. Tunuguntla Saibaba, S/o. Not Known, Occ. TDP State Secretary, R/o. Bhattiprolu Village, Bapatla District

...Respondent/Defecto-Complainants

WHEREAS the Petitioners above named through their Advocate Sri SHAIK ASIF presented this Petition under Section 528 of BNSS, 2023 is filed praying that in the circumstances stated in the memorandum of grounds of Criminal Petition, the High Court may be pleased to call for the records relating to and in connection with the First Information Report in Cr.No.19 of 2026 dated 02.02.2026 on the file of Bhattiprolu Police Station, Bapatla District registered under Sections 196(1), 352, 351(2), 296 r/w 3(5) of BNS consequently quash the same against the petitioner;

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri Shaik Asif, Advocate for the Petitioners and Public Prosecutor for 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:

Tunuguntla Saibaba, Occ. TDP State Secretary, R/o. Bhattiprolu Village, Bapatla District.

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 grounds filed therewith (copy enclosed) this CRLP should not be admitted on or before 02.03.2026 for which date the case stands posted for hearing;

IA NO: 2 OF 2026:

Petition under Section 528 of BNSS, 2023 is filed praying that in the circumstances stated in the memorandum of grounds of Criminal Petition, the High Court may be pleased to grant stay of all further proceedings in Cr. No. 19 of 2026 dated 02.02.2026 on the file of Bhattiprolu Police Station, Bapatla District registered under Sections 196(1), 352, 351(2), 296 r/w 3(5) of BNS, pending disposal of CRLP No.1018 of 2026, on the file of the High Court.

The Court made the following:

ORDER:

Heard the learned counsel for the Petitioners.

Learned Assistant Public Prosecutor takes notice for the State.

Learned counsel for the Petitioners 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*¹, 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.2.

Learned counsel for the Petitioners is permitted to take out personal notice on Respondent No.2 through Speed Post/Courier and file proof of the same.

List the matter on 02.03.2026.

Sd/- T.Srinivasa Rao
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Station House Officer, Bhattiprolu Police Station, Bapatla District.
2. Tunuguntla Saibaba, Occ. TDP State Secretary, R/o. Bhattiprolu Village, Bapatla District. (by **RPAD**- along with a copy of petition and memorandum of grounds)
3. One CC to Sri. Shaik Asif, Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court of AP [OUT]
5. One spare copy

¹ (2014) 8 SCC 273

HIGH COURT

Dr.VJP,J

DATED:09/02/2026

LIST THE MATTER ON 02.03.2026

NOTICE BEFORE ADMISSION

CRLP.No.1018 of 2026

INTERIM SUSPENSION

