

(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: 1054 OF 2026

Between:

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.

...Petitioner/Accused

AND

1. The State of Andhra Pradesh, Represented by its Public Prosecutor,
High Court of Andhra Pradesh, Amaravati.

...Respondents

2. Ponnuru Ramakrishnaiah, S/o Ramanaiah, aged about 70 years,
Mandal President, TDP Party, Manubolu Mandal, Sri Potti Sriramulu
Nellore District, Andhra Pradesh.

...Respondents/De-facto Complainant

WHEREAS the Petitioner above named through his Advocate Sri Sudharsana Reddy J 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 quash the impugned First Information Report in Crime No.16 of 2026 dated 02.02.2026 on the file of Manubolu Police Station, SPSR Nellore District, and all consequential proceedings arising therefrom, as the same is a multiple and successive FIR on the very same alleged incident and content already covered by earlier crimes, registered in violation of the binding law

laid down by the Hon'ble Supreme Court and the continuation of the proceedings would amount to an abuse of the process of law;

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri Sudharsana Reddy.J, Advocate for the Petitioner 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:

Ponnuru Ramakrishnaiah, S/o Ramanaiah, Mandal President, TDP Party, Manubolu Mandal, Sri Potti Sriramulu Nellore District, Andhra Pradesh. 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 all further proceedings, including investigation and any coercive steps, pursuant to the impugned FIR in Crime No.16 of 2026 dated 02.02.2026 on the file of Manubolu Police Station, SPSR Nellore District, pending disposal of CRLP No.1054 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*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 Petitioner 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

SECTION OFFICER

//TRUE COPY//

To,

1. The Station House Officer, Manubolu Police Station, SPSR Nellore District.
2. Ponnuru Ramakrishnaiah, S/o Ramanaiah, Mandal President, TDP Party, Manubolu Mandal, Sri Potti Sriramulu Nellore District, Andhra Pradesh. (by RPAD- along with a copy of petition and memorandum of grounds)

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.1054 of 2026



DIRECTION