

(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: 1051 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, through the Station House
Officer, Tirupati Police Station Tirupati District, Andhra Pradesh.

...Respondents

2. Thota Vasudeva, S/o.T.Venkateswarlu, aged about 34 years, Occ.
Director of the A.P State Kapu Welfare and Development Corporation,
Resident of Door No.3-4-96, Tirupati Urban, Giddangi Street, Tirupati
District Andhra Pradesh

...Respondents/Defacto Complainant

WHEREAS the Petitioner/Accused above named through his
Advocate Sri.PAPUDIPPU SASHIDAR REDDY presented this Petition under
Section 528 of BNSS, is filed praying that in the circumstances stated in the
affidavit filed in support of the Criminal Petition, the High Court may be
pleased to call for the records in relation to the First Information Report in
Crime No. 15 of 2026 dated 01.02.2026 on the file of Tirupati West Urban
Police Station, Tirupati District, Andhra Pradesh, and all consequential
proceedings arising therefrom and quash the same;

7

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri PAPUDIPPU SASHIDAR REDDY Advocate for the Petitioner, Public Prosecutor for R1 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:

Thota Vasudeva, S/o.T.Venkateswarlu Occ. Director of the A.P State Kapu Welfare and Development Corporation, Resident of Door No.3-4-96, Tirupati Urban, Giddangi Street, Tirupati 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 affidavit filed therewith (copy enclosed) this CRIMINAL PETITION 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 is filed praying that in the circumstances stated in the affidavit filed in support of the 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. 15 of 2026 dated 01.02.2026 on the file of Tirupati West Urban Police Station, Tirupati District, Andhra Pradesh, in the interests of justice, pending disposal of CRLP No. 1051 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.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/-N.Nagamma,
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Station House Officer, Tirupati West Urban Police Station Tirupati District, Andhra Pradesh.
2. Thota Vasudeva, S/o.T.Venkateswarlu, Occ. Director of the A.P State Kapu Welfare and Development Corporation, Resident of Door No.3-4-96, Tirupati Urban, Giddangi Street, Tirupati District Andhra Pradesh (by RPAD- along with a copy of petition and memorandum of grounds)
3. One CC to SRI. PAPUDIPPU SASHIDAR 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 02.03.2026

NOTICE BEFORE ADMISSION

CRLP.No.1051 of 2026

DIRECTION

