

[3396]

(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: 1042 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/A1

AND

1. The State of Andhra Pradesh, Represented by its Public Prosecutor,
High Court of Andhra Pradesh, Amaravati.
2. The Station House Officer, Rajanagaram Urban Police Station, East
Godavari District, Andhra Pradesh.
3. Gangiseti Vijaya Veera Venkata Surya Satyanarayana Chantibabu, S/o
Veeraraju, aged about 69 years, Resident of Infront of High School,
Palacharla Village, Rajanagaram Mandal, East Godavari District,
Andhra Pradesh. (De-facto Complainant)

Respondents

WHEREAS the Petitioner above named through his Advocate Sri
Sudharsana Reddy J, presented this Petition under Section 528 of B.N.S.S.,
praying that in the circumstances stated in the affidavit filed in support of the
Criminal Petition, the High Court may be pleased to quash the impugned First
Information Report in Crime No.69/2026 of Rajanagaram Urban Police
Station, East Godavari 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 of Public Prosecutor for Respondent No.1 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:

Gangiseti Vijaya Veera Venkata Surya Satyanarayana Chantibabu, S/o Veeraraju, aged about 69 years, Resident of Infront of High School, Palacharla Village, Rajanagaram Mandal, East Godavari District, Andhra Pradesh. (De-facto Complainant)

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, on which date the case stands posted for hearing.

IA NO: 2 OF 2026

Petition under Section 528 of B.N.S.S., is filed praying that in the circumstances stated in the grounds filed in support of the petition, the High Court may be pleased to stay all further proceedings, including investigation and any coercive steps, including issuance or execution of P.T. warrants pursuant to the impugned FIR in Crime No.69/2026 of Rajanagaram Urban Police Station, East Godavari District, in the interests of justice and proper in the circumstances of the case., pending disposal of CRLP No. 1042 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 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.

List the matter on 02.03.2026.

SD/- N.NAGAMMA
ASSISTANT REGISTRAR
SECTION OFFICER

//TRUE COPY//

To,

1. The Station House Officer, Rajanagaram Urban Police Station,
East Godavari District
2. Gangiseti Vijaya Veera Venkata Surya Satyanarayana Chantibabu, S/o
Veeraraju, aged about 69 years, Resident of Infront of High School,
Palacharla Village, Rajanagaram Mandal, East Godavari District,

¹ (2014) 8 SCC 273

Andhra Pradesh. (by RPAD- along with a copy of petition and memorandum of grounds)

3. One CC to SRI. Sudharsana Reddy J Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court of AP [OUT]
5. One spare copy

KJ

HIGH COURT

DR.VJP,J

DATED:09/02/2026

LIST THE MATTER ON 02.03.2026

NOTICE BEFORE ADMISSION

CRLP.No.1042 of 2026

DIRECTION

