

[3521]

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



THURSDAY, THE TWELFTH DAY OF FEBRUARY

TWO THOUSAND AND TWENTY SIX

**:PRESENT:
THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO**

CRIMINAL PETITION NO: 1149 OF 2026

Between:

Barla Rangarao, S/o., Late Akkaya, Aged about 69 years, R/o., D.No. 18-185/1, Anjanadri Colony, Prahaladapuram, Visakhapatnam.

Petitioner/Accused

AND

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

Respondent/Complainant

2. Isukapalle Ganesh Kumar Raju, S/o. Late Rama Krishna Raju, Managing Director, M/s Sree Devi Digital Systems Private Limited, D.No. 39-6-16, Murali Nagar, Vishakhapatnam.

Respondent/Defacto Complainant

WHEREAS the Petitioner/Accused above named through his/her Advocate Sri VARADAM SAI LIKHITH 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 C.C No.222 of 2022, on the file of the Court of VII Additional Judicial Magistrate of First Class, Visakhapatnam, and quash the same; ✓

AND WHEREAS the High Court upon perusing the petition and affidavit/memorandum of grounds filed herein and upon hearing the arguments of Sri VARADAM SAI LIKHITH Advocate for the Petitioner, Public Prosecutor for the 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:

Isukapalle Ganesh Kumar Raju, S/o. Late Rama Krishna Raju,
Managing Director, M/s Sree Devi Digital Systems Private Limited,
D.No. 39-6-16, Murali Nagar, Vishakhapatnam.

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 memorandum of grounds filed therewith (copy enclosed) this CRIMINAL PETITION should not be admitted within eight weeks. ✓

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, including the appearance of the petitioner in C.C No.222 of 2022, on the file of the Court of VII Additional Judicial Magistrate of First Class, Visakhapatnam, pending disposal of CRLP No. 1149 of 2026, on the file of the High Court. ✓

The Court made the following: ORDER

Heard learned counsel for the Petitioner and the learned Assistant Public Prosecutor.

Issue notice to the Respondent No.2. ✓

The learned counsel for the Petitioner is permitted to take out personal notice on Respondent No.2 and file proof to that effect.

As seen from the record, there is an alleged transaction of Rs.32,10,000/- between the Petitioner and Respondent No.2. The Petitioner has preferred a company petition in C.P.No.318 of 2016 before the High Court of Judicature for the States of Telangana and Andhra Pradesh. An order dated 15.06.2018 was passed therein, wherein reference was made to the said amount, and a direction was issued deferring the advertisement for eight weeks.

Subsequently, a company application was filed in C.A.No.02 of 2018, and an order dated 11.09.2018 was passed directing proof of publication.

At present, a dispute is pending between the Petitioner and Respondent No.2 before the Company Court.

The Petitioner and Respondent No.2 have further lodged a complaint, which culminated in a charge sheet in C.C.No.222 of 2022, pending before the learned VII Additional Judicial Magistrate of First Class, Visakhapatnam, wherein allegations have been made under Sections 420, 408, 477-A, 464, and 506 of the Indian Penal Code, 1860¹.

The Hon'ble Apex Court in Delhi Race Club (1940) Ltd v. State of Uttar Pradesh² observed that the criminal breach of trust and cheating cannot go together.

Considering the entire gamut of litigation pending between the Petitioner and Respondent No.2, there shall be a stay of all further proceedings in C.C. No.222 of 2022 on the file of the learned VII Additional Judicial Magistrate of First Class, Visakhapatnam, until the next date of hearing.

¹ 'the I.P.C.,'

² CrI.A.No.3114 of 2024 dated 23.08.2025

Post the matter after Eight weeks.

//TRUE COPY//

SD/- K. KASIRAO ACHARI
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The VII Additional Judicial Magistrate of First Class, Visakhapatnam.
2. Isukapalle Ganesh Kumar Raju, S/o. Late Rama Krishna Raju, Managing Director, M/s Sree Devi Digital Systems Private Limited, D.No. 39-6-16, Murali Nagar, Vishakhapatnam. (by RPAD- along with a copy of petition and memorandum of grounds)
3. One CC to SRI. VARADAM SAI LIKHITH Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court of A.P., Amaravati [OUT].
5. **One spare copy**

HIGH COURT

DR.YLR,J

DATED:12/02/2026

POST THE MATTER AFTER EIGHT WEEKS

NOTICE BEFORE ADMISSION

CRLP.No.1149 of 2026

DIRECTION

