

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
TUESDAY, THE EIGHTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE HARINATH.N
CRIMINAL PETITION NO: 2918 OF 2025



Between:

V. Brahma Reddy, S/o V. Rami Reddy, Aged 74 years, Occ: Doctor, R/o D.No.8-32, Laxmipuram Praja Vaidyasala, D.No.8/31, S.H. 7 Road, Laxmipuram Village, Vullindakonda, Kurnool District.

...Petitioner/Accused

AND

1. State of Andhra Pradesh, rep. by Public Prosecutor, High Court of Andhra Pradesh, Amaravati, Guntur District

...Respondent

2. Akepogu Swamulu, S/o Akepogu Chinna Ayyanna, Aged about 36 years, R/o Laxmipuram Village, Kalluru Mandal, Kurnool District.

...Defacto Complainant

WHEREAS the Petitioner/Accused above named through his Advocate M/s M SIVA JYOTHI presented this Petition under Section 528 of BNSS, praying that in the circumstances stated in the memorandum of grounds filed in support of the Criminal Petition, the High Court may be pleased to quash the FIR No.2 of 2025 on the file of Station House Officer, Ulindakonda Police Station, Kurnool District, dated 07.01.2025.

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of M/s M SIVA JYOTHI Advocate for the Petitioner, and of 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:

Akepogu Swamulu, S/o Akepogu Chinna Ayyanna, Aged about 36 years, R/o Laxmipuram Village, Kalluru Mandal, Kurnool 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 affidavit filed therewith (copy enclosed) this CRIMINAL PETITION should not be admitted, on or before 22.04.2025, to which date the case stands posted for hearing.

IA NO: 2 OF 2025

Petition under Section 528 of BNSS praying that in the circumstances stated in the memorandum of grounds filed in support of the petition, the High Court may be pleased to grant stay of all further proceedings in FIR No.2 of 2025 on the file of Station House Officer, Ulindakonda Police Station, Kurnool District, dated 07.01.2025 including stay of arrest of the petitioner, pending disposal of CRLP No. 2918 of 2025, on the file of the High Court.

The Court made the following: ORDER

Learned counsel for the petitioner submits that the petitioner is arraigned as accused in Crime No.2 of 2025 on the file of Ulindakonda Police Station, Kurnool District for the alleged offence under Sections 338, 339 read with 3(5) BNS, 3(1)(f) SC/ST Prevention of Atrocities Act.

It is submitted by the learned counsel for the petitioner that the complaint relates to a document registered in the year 2005, bearing No.3596/2005 and that the petitioner got registered the said property on

08.10.2024 by incorporating the Sy.No.788/A, this would indicate that the petitioner has encroached Ac.2-66 cents of the land belonging to the petitioner. It is stated that the petitioner had given a wrong declaration to the 2nd respondent that the property is in the prohibited list and the same got registered vide document No.13686 of 2024.

On the strength of the complaint brought by the 2nd respondent, the police have registered a case and pending investigation.

Learned counsel for the petitioner submits that the petitioner has registered the property after following the due procedure and only after verifying the pass books. It is submitted that the complainant was never in possession of the land and also did not produce any document to establish his possession or title.

Learned counsel for the petitioner further submits that the issue is purely civil in nature and relates to agriculture land, which is registered in the year 2005.

Considering the submissions of the learned counsel for the petitioner, the SHO, Ulindakonda Police Station, Kurnool District is directed to complete the investigation in Crime No.2 of 2025, and without taking any coercive steps against the petitioner.

Issue notice to the 2nd respondent.

The learned counsel for the petitioner is permitted to take out personal notice to the 2nd respondent through Registered Post with Acknowledgment Due and file proof of service in the Registry.

Post the matter on 22.04.2025.

Sd/- SK. MD. RAFI
A ASSISTANT REGISTRAR

//TRUE COPY//

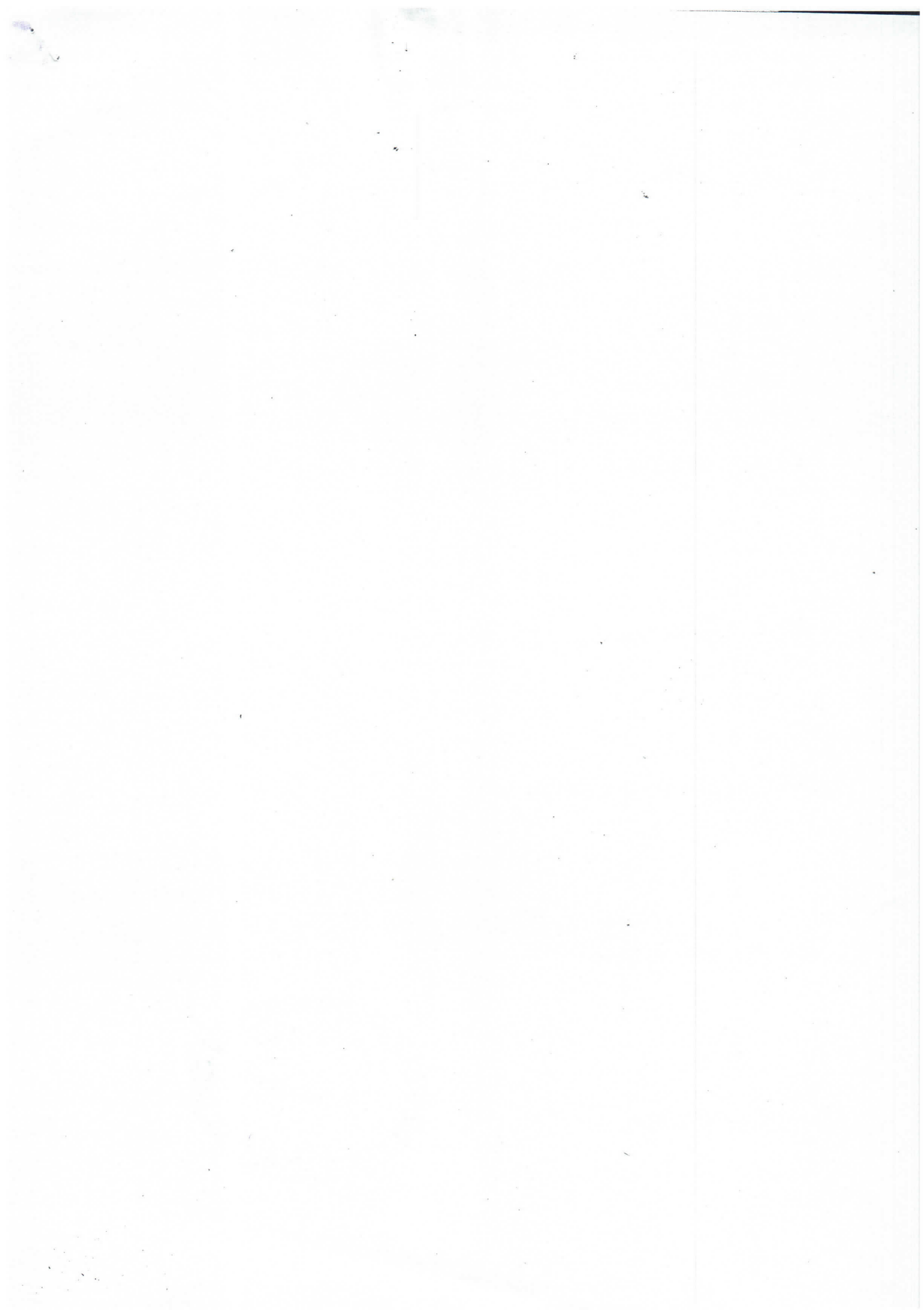
SECTION OFFICER
For ASSISTANT REGISTRAR

To,

1. The Station House Officer, Ulindakonda Police Station, Kurnool District

2. Akepogu Swamulu, S/o Akepogu Chinna Ayyanna, Aged about 36 years, R/o Laxmipuram Village, Kalluru Mandal, Kurnool District. **(by RPAD- along with a copy of petition and memorandum of grounds)**
3. One CC to M/s M SIVA JYOTHI Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR, High Court of Andhra Pradesh [OUT]
5. **One spare copy**

PSR



HIGH COURT

HN,J

DATED:18/03/2025

NOTE: Post the matter on 22.04.2025.

NOTICE BEFORE ADMISSION

CRLP.No.2918 of 2025

INTERIM DIRECTION

