

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

WEDNESDAY, THE TWENTY FIRST DAY OF JANUARY
TWO THOUSAND AND TWENTY SIX

:PRESENT:

HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

WRIT PETITION NO: 7867 OF 2021



Between:

V. Raghunath, S/o. V. Kumara Swamy Aged about 51 years, Occ:
Advocate R/o H.No.13-9, P & T Colony, Dilsukhnagar, Hyderabad.

Petitioner

AND

1. The Union of India, Rep. by its Secretary, Ministry of Home Affairs,
Government of India, New Delhi.
2. The National Investigation Agency, Rep. by Deputy SP/CIO, NIA,
Hyderabad, Camp Vijayawada.
3. The State of Andhra Pradesh, Rep. by its Principal Secretary, Home
Department, Secretariat, Velagapudi, Amravathi, Guntur District,
Andhra Pradesh.
4. The Station House Officer, P.S. Munchingput, Vishakapatnam District.

Respondents

Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus to declare the case in RC-01/2021/NIA/HYD, P.S NIA which was initially registered as Cr.No. 47 of 2020 of P.S Munchingput, Visakhapatnam, for the alleged offences U/Sec.120 (6), 121(a), 143, 144, 124(a) r/w Sec 149 of IPC & Sec 10, 13 and 14 of the Unlawful Activities Prevention Act, 1967 and Sec 8 (1) (2) of the Andhra Pradesh Public Safety Act and Sec 25 of the Indian Arms Act against the Petitioner though there is

no prima facie case against Petitioner and inclusion of the his name in the said crime itself is contrary to the mandatory provision of Sec 25 & 27 of the Indian Evidence Act as being illegal, arbitrary, unjust apart from being violative of principles of natural justice and violative of Articles 14, 19 and 21 of the Constitution of India and as also the Advocates Act, 1961 and consequently quash the proceedings in the said crime against Petitioner herein.

IA NO: 1 OF 2021

Petition under Section 151 CPC 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 the proceedings in RC-01/2021/NIA/HYD, P.S NIA which was initially registered as Cr.No. 47 of 2020 of P.S Munchingput, Visakhapatnam, for the alleged offences U/Sec.120 (B), 121(a), 143, 144, 124(a) r/w Sec 149 of IPC, and Sec 10, 13 and 14 of the Unlawful Activities Prevention Act, 1967 and Sec 8 (1) (2) of the Andhra Pradesh Public Safety Act and Sec 25 of the Indian Arms Act including stay of arrest of the petitioner herein, Pending disposal of WP 7867 of 2021, on the file of the High Court.

The petition, coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and having observed that there is no representation for the Petitioner, Assistant Solicitor General of India for Respondent No.1, learned GP FOR HOME for the Respondent Nos.3&4, the Court made the following

ORDER:

“No representation for the Petitioner.

The Station House Officer, Munchingput Police Station, Visakhapatnam, is directed to submit the status of the case in Crime No. 47 of 2020, which was registered for the alleged offences punishable under Sections 120-B, 121-A, 143, 144 and 124-A read with Section 149 of the Indian Penal Code; Sections 10, 13 and 14 of the Unlawful Activities (Prevention) Act, 1967; Section 8(1) and (2) of the Andhra Pradesh Public Safety Act; and Section 25 of the Indian Arms Act.

Post on 11.02.2026 under the caption of 'Dismissal'."

//TRUE COPY//

SD/-B.CHITTI JOSEPH
DEPUTY REGISTRAR
SECTION OFFICER

For

To,

1. The Station House Officer, Munchingput Police Station, Visakhapatnam
(BY SPEED POST)
2. One CC to SRI. S GOUTHAM Advocate [OPUC]
3. One CC to DEPUTY SOLICITOR GENERAL OF INDIA, High Court of
AP [OPUC]
4. Two CCs to GP FOR HOME, High Court of Andhra Pradesh. [OUT]
5. One spare copy

Kj

HIGH COURT

DR.YLR,J

DATED:21/01/2026

POST ON 11.02.2026 UNDER THE CAPTION 'DISMISSAL'

ORDER

WP.No.7867 of 2021

DIRECTION

