



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3521]

WEDNESDAY, THE TWENTY SECOND DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

WRIT PETITION NO: 8230/2026

Between:

1. BONDADA GIRI BABU, S/O. SATYANARAYANA MURTHY, AGED ABOUT 52 YEARS, OCC AGRICULTURE, R/O. 58-21-10/18, HAPPY HOMES, SUSARLA COLONY GOPALAPATNAM, VISAKHAPATNAM - 530027
2. SMT. ALLIBILLI SRIDEVI,, W/O. VISWESWARA RAO, AGED ABOUT 58 YEARS, OCC HOUSEWIFE, R/O. 2-287, INDIRAGANDHI NAGAR. OLD DIARY FARM VISAKHAPATNAM - 530040

...PETITIONER(S)

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, HOME DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT, ANDHRA PRADESH. 522238.
2. THE DIRECTOR GENERAL OF POLICE, STATE OF ANDHRA PRADESH, POLICE HEAD QUTERS MANGALAGIRI, GUNTUR DISTRICT, ANDHRA PRADESH. 522302
3. THE SUPERINTENDENT OF POLICE, VISAKHAPATNAM DISTRICT AT VISAKHAPATNAM, 530001.
4. THE STATION HOUSE OFFICER, DEVARAPALLI POLICE STATION, VISAKHAPATNAM DISTRICT, ANDHRA PRADESH, 531163.

...RESPONDENT(S):

Counsel for the Petitioner(S):

DASARI S V V S V PRASAD

Counsel for the Respondent(S):

GP FOR HOME

The Court made the following:

ORDER:

The Writ Petition has been filed under Article 226 of the Constitution of India seeking the following relief:-

“...to issue an appropriate Writ Order direction more particularly one in the nature of Writ of Mandamus declaring the action Respondents particularly the 4th Respondent in not completing the investigation and apprehend the accused in FIR no 46 of 2022 dated 05 03 2022 on the file of 4th respondent is illegal irregular arbitrary un constitutional and violation of Criminal Procedure Code or BNSS Bharatiya Nagarika Suraksha Sanhitha and violation of Articles 14 19 21 of Constitution of India consequently direct the 3rd and 4th Respondent authorities to complete the investigation by apprehending the accused in FIR no 46 of 2022 dated 05 03 2022 on the file of 4th respondent and consequential reliefs and to pass....”

2. Heard the learned counsel for the petitioners and the learned Assistant Government Pleader.

3. The respondent No.4 / the Station House Officer, Devarapalli Police Station, is present. He submits that the case in FIR No.46 of 2022 has been referred as civil in nature. The present Writ Petition is filed seeking to declare the action of respondent No.4 in not completing the investigation and in not apprehending the accused as illegal. However, the petitioners have an alternative efficacious remedy by filing a protest petition before the learned

jurisdictional Magistrate under Section 190 read with Section 200 of 'the Cr.P.C.,'/Section 210 read with Section 223 of 'the BNSS'.

4. Considering the entire facts and circumstances of the case, and recording the submissions of the respondent No.4, the Writ Petition is disposed of, requiring the petitioners to approach the learned jurisdictional Magistrate by way of filing an appropriate complaint under Section 190 read with Section 200 of 'the Cr.P.C.,'/Section 210 read with Section 223 of 'the BNSS', if so advised. The respondent No.4 is directed to furnish a copy of the referred proceedings to the learned counsel for the petitioners to enable them to take further course of action before the learned jurisdictional Magistrate.

5. With the above observations and directions, the Writ Petition is disposed of. There shall be no order as to costs.

As a sequel, Miscellaneous petitions, if any pending, shall stand closed.

DR. Y. LAKSHMANA RAO, J

Date: 22.04.2026

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THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

WRIT PETITION NO: 8230 of 2026

Date:22.04.2026
RSI