

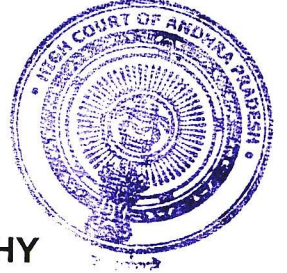
**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(Special Original Jurisdiction)**

**TUESDAY, THE TWENTIETH DAY OF JANUARY
TWO THOUSAND AND TWENTY SIX**

:PRESENT:

THE HONOURABLE SRI JUSTICE B V L N CHAKRAVARTHY

WP NO: 7153 OF 2019



Between:

Gajjala Venkata Narayana, S/o late Okkeiah @ Okki Reddy Advocate,
aged 58 years, R/o.D.No.31-32-1/3, Allipuram, Captain Rama Rao
Junction, Visakhapatnam-530004.

...Petitioner/s

AND

1. The State of Andhra Pradesh, represented by the Principal Secretary, Home, Government of Andhra Pradesh Secretariat, Amaravati.
2. The Commissioner of Police, Visakhapatnam City.
3. Station House Officer, II Town Police Station, Visakhapatnam City
4. Jakkireddy Lakshmi Reddy, S/o Ramulu Aged 33 years, R/o.D.No.31-30-3, Narayana Street, Dabagardens, Visakhapatnam city.
5. Jakkireddy Eswaramma, W/o Ramulu Aged 50 years, R/o.D.No.31-30-3, Narayana Street, Dabagardens, Visakhapatnam city.
6. Jakkireddy Ramireddy @ Ramulu, S/o Rama Lakshmi Reddy, Aged 60 years, R/o.D.No.31-30-3 Narayana Street, Dabagardens, Visakhapatnam city.
7. Jakkireddy Ramesh, S/o Ramulu Aged 32 years, R/o.D.No.31-30-3 Narayana Street, Dabagardens, Visakhapatnam city.

...Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue writ, order or direction more particularly in the nature of writ of Mandamus declaring the action of the 3rd Respondent in abruptly stopping the investigation in Crime No.235/2017 of II Town Police Station, Visakhapatnam in not taking up any investigation in relation to the fabricated false complaint lodged by the Respondent No.5 against the Petitioner under Receipt No.156, dated 12.08.2017 as arbitrary, illegal, discriminatory and unconstitutional and also violative of principles of natural justice and for a consequential direction to the respondents 1 to 3 to make further investigation in relation to the fabricated false complaint lodged against the Petitioner under Receipt No.156, dated 12.08.2017 and to submit further report in C.C.No.748/2017 on the file of II Additional Chief Metropolitan Magistrate Court, Visakhapatnam.

IA NO: 1 OF 2019

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to grant stay of all further proceedings in CC No. 748 of 2017 on the file of II Additional Chief Metropolitan Magistrate Court, Visakhapatnam, pending disposal of CRP No. 3526 of 2025, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed herein and the order of the High Court dated: 11.06.2019, 29.07.2019 , 17.09.2019 & 23.01.2020 made herein and upon hearing the arguments of Sri A. Sanmukha Reddy Advocate for Petitioner(none appeared for the petitioner) and of GP for Home for the Respondent No.1 to 3, and Sri Rama Murthy PVSA, learned counsel for Respondent Nos.4 to 7, the Court made the following

ORDER:

None appeared for the petitioner. Earlier also, no one appeared for the petitioner.

Learned Assistant Government Pleader for Home and Sri Rama Murthy P.V.S.A., learned counsel for the unofficial respondents would submit that investigation in the case was completed long ago and charge sheet was laid in the year 2017 vide C.C.No.748 of 2017 on the file of the learned II Additional Chief Metropolitan Magistrate, Visakhapatnam. At that stage, the writ petition is filed, seeking direction for further investigation in the case. This Court initially ordered stay of the proceedings in the above CC for a limited period. Subsequently, it was not extended, but, the trial Court on account of the earlier order of the stay, did not proceed with the trial of the case. They further submitted that if the petitioner is aggrieved by the report filed by the police in the above case, he shall approach the Magistrate for necessary relief and the writ petition is not maintainable in law.

Considering the above submissions, and the facts and circumstances of the case, earlier interim order of stay is hereby vacated.

The trial Court is directed to proceed with the trial and dispose of the same as expeditiously as possible.

List the matter after three (03) weeks under the caption "For Dismissal".

//TRUE COPY//

Sd/-M.PRABHAKAR RAO
DEPUTY REGISTRAR

SECTION OFFICER

To,

1. The Station House Officer, II Town Police Station, Visakhapatnam City
2. The II Additional Chief Metropolitan Magistrate Court, Visakhapatnam.
3. The Principal Secretary, Home, Government of Andhra Pradesh, State of Andhra Pradesh, Secretariat, Amaravati.
4. The Commissioner of Police, Visakhapatnam City. (2 to 4 BY RPAD)
5. One CC to SRI.A.SANMUKHA REDDY Advocate [OPUC]
6. One CC to Sri Rama Murthy PVSA , Advocate [OPUC]
7. Two CCs to GP FOR HOME, High Court Of Andhra Pradesh. [OUT]
8. One spare copy

ksr

HIGH COURT

BVLNC, J

DATED:20.01.2026

List the matter after three (03) weeks under the caption "For Dismissal".

ORDER

I.A.NO.1 OF 2019

IN

WP.No.7153 of 2019

INTERIM ORDER OF STAY IS VACATED

