



**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: 10497/2026

Between:

1. PACHALA NAGABUSHANAM, S/O LATE RATNAM, AGED ABOUT 54 YEARS, OCCUPATION JUNIOR ASSISTANT, GUNTUR ZILLA PARISHAD, R/O NEAR RCM CHURCH, MARY PRIYA NAGAR, GORANTLA, GUNTUR DISTRICT, ANDHRA PRADESH-522035.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, HOME DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT, ANDHRA PRADESH. 522238

2. THE DIRECTOR GENERAL OF POLICE, MANGALAGIRI, GUNTUR, ANDHRA PRADESH. 522503

3. THE SUPERINTENDENT OF POLICE, GUNTUR DISTRICT, ANDHRA PRADESH. 522004

4. DEPUTY SUPERINTENDENT OF POLICE, GUNTUR DISTRICT, ANDHRA PRADESH. 522004

5. STATION HOUSE OFFICER, NALLAPADU POLICE STATION, GUNTUR DISTRICT, ANDHRA PRADESH. 522005

6. KONDAMADUGULA RATNAREDDY, S/O KONDAMADUGULAGANGI REDDY, AGED ABOUT 39 YEARS, R/O D.NO.4-22-77, 4TH LANE, GOWTHAMI NAGAR, KORITEPADU, GUNTUR TOWN, GUNTUR

DISTRICT, ANDHRA PRADESH-522007.

7.YERRAGADDA SIVA PARVATHI, W/O EASUDAS, AGED ABOUT 42 YEARS, R/O D.NO. 1-4-18, GUJJANAGUNDLA, GUNTUR DISTRICT, ANDHRA PRADESH-522006.

8.CHITTEPU SIVAKOTI REDDY, S/O GOPAL REDDY, AGED ABOUT 43 YEARS, R/O D. NO.4-24-44, CHANDRAMOULINAGAR, GUNTUR DISTRICT, ANDHRA PRADESH-522007.

9.DUGGEMPUDIVENKATA, RAMIREDDY, S/O.DUGGEMPUDI GANGI REDDY, AGED ABOUT 39 YEARS, R/O.D.NO.4-24, NANDENDLA MANDAL, CHIRUMAMILLA VILLAGE, GUNTUR DISTRICT, ANDHRA PRADESH- 522234.

...RESPONDENT(S):

Counsel for the Petitioner:

1.DAGGUBATI VENKATESWARA RAO

Counsel for the Respondent(S):

1.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 a writ order or direction more particularly one in the nature of mandamus declaring the action of Respondent No 4 and 5 in not conducting the investigation and not making any efforts to file the charge sheet in Crime No 52 of 2025 dated 13 01 2025 registered at Nallapadu PS Guntur District same is illegal arbitrary and in violation of principles of natural justice and contrary to the provisions of BNSS and consequently direct the respondents more particularly Respondent No 4 and 5 to conduct the investigation and file Charge Sheet in Crime No 52 of 2025 dated 3 01 2025 registered at Nallapadu PS Guntur District previously Guntur District and pass such order(s)...”

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

3. Sri Daggubati Venkateswara Rao, learned counsel for the Petitioner, submits that Respondent Nos.4 and 5 have not conducted a proper investigation nor filed appropriate proceedings before the learned jurisdictional Magistrate in respect of Crime No.52 of 2025 of Nallapadu Police Station, Guntur.

4. Sri P. Ajay Babu, learned Assistant Government Pleader, on written instructions, submits that the investigation is at a progressive stage and that the charge sheet would be filed upon completion of the investigation, as certain material witnesses are yet to be examined, relevant documents are to be collected, and some of the accused are yet to be secured. He further submits that the interim orders granted by this Court, restraining coercive steps against Accused Nos.2 to 4 in CrI.P.Nos.2722, 2916 and 2887 of 2026, are being duly complied with, and that the said quash petitions are still pending consideration.

5. Be that as it may, the Respondent No.5 is duty bound to conduct a thorough, fair, impartial and effective investigation and conduct the investigation to the logical end as per the procedure.

6. In this regard, it is apposite to refer the judgment of the Hon'ble Apex Court in **A. Shankar v. State**¹, wherein at paragraph Nos. 15 and 20, it is held as under:

15. If the high court directs, at a stage prior to conclusion of investigation, that a charge-sheet has invariably to be filed upon closure of investigation in a particular case irrespective of what the materials are which have been collected during investigation and without allowing the investigating officer to form his own opinion as regards the next course of action, that would take away the discretion of such officer and he would be left with no other option but to proceed in the direction as required by the high court under pain of threat of contempt. Other than very extreme cases, the high courts ought to exercise restraint and not issue such directions which foreclose the discretion of the executive.

20. However, if the high court proceeds to make a direction that charge-sheets should be filed upon conclusion of investigation or that a trial should be concluded within a particular time-frame, without even attempting to ascertain the stage the trial has reached, the consequence of such an order could be far-reaching. The concept of a fair trial could be rendered a casualty. Directions of the nature made by the learned Judge amounts to improper exercise of writ jurisdiction and such an approach cannot but be disapproved by us.

7. Therefore, in **A. Shankar supra**, the Hon'ble Supreme Court held that the High Court should not, at the stage of investigation, direct the filing of a charge-sheet, as it would curtail the discretion of the Investigating Officer and amount to an improper exercise of jurisdiction. It was further held that issuing directions to file charge-sheets or to conclude trials within a fixed timeframe, without considering the stage of the proceedings, may prejudice a fair trial and is liable to be disapproved.

8. Considering the facts and circumstances of the case, Respondent No. 5 is directed to expedite the process of investigation in Crime No.52 of 2025 of Nallapadu Police Station, Guntur District, at the earliest possible, and to file

¹ 2026 SCC OnLine SC 120

appropriate proceedings before the Jurisdictional Magistrate in accordance with law.

9. The learned counsel for the Petitioner submits that, despite the lapse of one years since the report was lodged, Respondent No. 5 has not bestowed due attention to the facts and circumstances of the case and has not conducted the investigation on proper lines.

10. Therefore, Respondent No.3/the Superintendent of Police, Guntur District, is directed to monitor the investigation conducted by Respondent No.5 and to verify whether the investigation is being carried out in accordance with law and on proper lines.

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

As a sequel, interlocutory applications, if any pending, shall stand closed.

DR. Y. LAKSHMANA RAO, J

Date: 22.04.2026
KMS

193

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

WRIT PETITION No.10497 of 2026

Date: 22.04.2026

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