



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

[3521]

THURSDAY, THE THIRTIETH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

WRIT PETITION NO: 12152/2026

Between:

1. VELPULA BHASKARA RAO, S/O SUBBAIAH, HINDU MALA , AGE 65
YEARS, PROFESSION EX EMPLOYEE, R/O POLICE QUARTERS,
MACHERLA, GUNTUR, ANDHRA PRADESH-522426

...PETITIONER

AND

1. THE STATE OF AP, PRINCIPAL SECRETARY, HOME DEPARTMENT,
ANDHRA PRADESH SECRETARIAT, AMARAVATI, GUNTUR
DISTRICT, ANDHRA PRADESH, PINCODE 522238.

2. DIRECTOR GENERAL OF POLICE, POLICE HEADQUARTERS,
MANGALAGIRI, GUNTUR DISTRICT, ANDHRA PRADESH, PINCODE
522503.

3. DEPUTY SUPERINTENDENT OF POLICE, PALNADU DISTRICT
DISTRICT POLICE OFFICE, NARASARAOPET ANDHRA PRADESH-
522601.

4. STATION HOUSE OFFICER, SATTENAPALLE TOWN, PALNADU
DISTRICT, ANDHRA PRADESH-522403.

5. SUPERINTENDENT OF POLICE, PALNADU DISTRICT DISTRICT
POLICE OFFICE, NARASARAOPET, ANDHRA PRADESH- 522601

...RESPONDENT(S):

Counsel for the Petitioner:

1. GBV RAVI KUMAR

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 Writ of Mandamus declaring the action of Respondent No.3 in not filing Charge sheet in Crime No. 24/2024 Dated 29-02-2024 till today as illegal, arbitrary. Unconstitutional and consequently direct the Respondent No. 3 to file Charge sheet in Crime No. 24/2024 of Sattenapalle Town Police Station , to impose a fine of Rs. 10,00,000/- on the Respondent No.3 and to pass ...”

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

3. Sri G.B.V.Ravi Kumar, learned Counsel for the Petitioner submits that the deliberate and protracted inaction of Respondent No.3 in failing to complete investigation and file charge sheet in Crime No.24 of 2024, despite registration under grave penal provisions and ‘the SC/ST (POA) Act’, is manifestly arbitrary, unconstitutional, and violative of Articles 14 and 21 of the Constitution of India. The Investigating Officer, acting in a wilfully lethargic and partisan manner, has not arrested the accused, seized incriminating material, or discharged his statutory duty, thereby frustrating the course of justice. The Petitioner, left with no efficacious remedy, is constrained to invoke the extraordinary jurisdiction of this Court seeking a writ of mandamus to compel the Respondent to forthwith file the charge sheet and secure the ends of justice.

4. Sri P.Ajay Babu, learned Assistant Government Pleader submits that the investigation reveals that the case is civil in nature. The Investigating Officer has addressed a letter to the prosecutor concerned for legal opinion. After the receipt of legal opinion appropriate proceedings would be filed before the learned Jurisdictional Magistrate concerned.

5. Be that as it may, the Respondent Police are 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 fled 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 fled 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

¹ 2026 SCC OnLine SC 120

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. Having regard to the entire facts and circumstances of the case, the Investigating Officer is directed to expediate the process of investigation and file appropriate proceedings before the learned Jurisdictional Magistrate within a period of three months.

9. 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: 30.04.2026
VTS