

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

TUESDAY, THE TWENTY FIRST DAY OF APRIL

TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 3243 OF 2026



Between:

Kotrike Srihari, S/o Late Sri K. Padmanabhaiah Setty Aged 54 years,
Director M/s. Sree Rayalaseema Green Energy Limited
Ashwathapuram(V), Lakshmipuram Kallur (M), Kurnool District R/o
H.No.1037, Sreenilayam Station Road, Gooty - 515 401 Anantapuramu
District

Petitioner/Accused No.1

AND

1. The State of Andhra Pradesh, Represented by the Public Prosecutor
High Court Buildings, Amaravati Through Station House Officer
Ulindakonda Police Station Kurnool District

Respondent No.1

2. The Enforcement Officer, Employees Provident Fund Organisation
Kurnool, Kurnool District. AP

Respondent No.2/Defacto Complainant

Petition Under Section 528 of B.N.S.S/Old Under Section 482 of Cr.P.C, is filed praying that in the circumstances stated in the affidavit filed in support of the Criminal Petition, the High Court may be pleased to quash the impugned proceedings against the Petitioner/Accused No.1 in C.C. No. 377 of 2018, on the file of the Judicial Magistrate of First Class (Special Mobile Court), Kurnool, while declaring the same as vitiated by non availability of previous sanction and non application of mind.

IA NO: 1 OF 2026

Petition Under Section 528 of B.N.S.S/Old Under Section 482 of Cr.P.C, is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay all further proceedings in C.C. No. 377 of 2018, on the file of the Judicial Magistrate of First Class (Special Mobile Court), Kurnool, including the personal appearance of the Petitioner/ Accused No.1 herein, Pending disposal of CRLP 3243 of 2026, on the file of the High Court.

The petition/Appeal coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI G V S GANESH Advocate for the Petitioner, PUBLIC PROSECUTOR Advocate for the Respondent No.1 & 2 and the Court made the following.

ORDER

Heard learned counsel for Petitioner No.1 and learned Assistant Public Prosecutor.

The Investigating Officer without arraying the company of the petitioner ie., M/s Sree Rayalaseema Green Energy Limited Ashwathapuram village, Lakshmipuram Kallur Mandal, Kurnool District and filed charge sheet against the petitioner and another employee for the alleged offences punishable under sections 406, 409 of the Indian Penal Code (For brevity 'the I.P.C') and Section 14 of the Employees Provident Fund Act, 1952 (for brevity 'the E.P.F.Act').

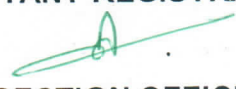
Section 14 of 'the E.P.F Act' says "If the person committing an offence under 'the E.P.F Act, the company shall also be prosecuted. In the instant case. The company i.e., M/s Sree Rayalaseema Green Energy Limited Ashwathapuram village, Lakshmipuram Kallur Mandal, Kurnool District has not shown as Accused No.1, only the employees of the company were shown as accused. Accused No.1 is the director and Accused No.2 is the Additional Director of the M/s Sree Rayalaseema Green Energy Limited Ashwathapuram village, Lakshmipuram Kallur Mandal, Kurnool District

Considering the entire allegations leveled against the petitioners and the facts and circumstances of the case, there shall be a stay of all further proceedings in C.C.No.377 of 2025 on the file of the learned Judicial Magistrate of First Class (Special Mobile Court), Kurnool until next date of hearing.

Respondent No.2 / The Enforcement Officer, Employees Provident Fund Organization, Kurnool shall appear before this Court on 05.05.2026."

SD/- T.SRINIVASA RAO
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Station House Officer, Ulindakonda Police Station, Kurnool District (by RPAD)
2. The Enforcement Officer, Employees Provident Fund Organisation Kurnool, Kurnool District. AP (by RPAD 1 & 2) (For Appearance)
3. One CC to SRI. G V S GANESH Advocate [OPUC]
4. Two CC's to Public Prosecutor, High Court of AP at Amaravati. [OUT]
5. One spare copy

TVSR

HIGH COURT

DR.YLR,J

DATED: 21/04/2026

RESPONDENT NO.2 / THE ENFORCEMENT OFFICER, EMPLOYEES
PROVIDENT FUND ORGANIZATION, KURNOOL SHALL APPEAR BEFORE
THIS COURT ON 05.05.2026

ORDER

CRLP.No.3243 of 2026

INTERIM STAY

