



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: 11586/2026

Between:

1. SARIPALLI ASHOK KUMAR, AS

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, AS

...RESPONDENT

Counsel for the Petitioner:

1.DODDALA PRUDHVI TEJA

Counsel for the Respondent:

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 or order more particularly one in the nature of a writ of mandamus or an appropriate writ or order declaring the inaction of the Respondents No. 2 to 5 in taking appropriate action on my complaint dt.10.09.2025 and registering a crime against the accused as arbitrary and illegal, contrary to well established legal principles apart from being

violative of the fundamental rights guaranteed to me under Article 14, 19 and 21 of Constitution of India, 1950 and consequently direct the Respondents to follow the guidelines laid down by the Hon'ble Supreme Court in the case of Lalitha Kumari Judgment and register the FIR, basis the Petitioner's complaint dated 10.09.2025 and pass such other order."

2. Heard the learned Counsel for the Petitioner and the learned Assistant Government Pleader for Home.

3. Sri D. Prudhvi Teja, learned counsel for the petitioner, submits that the petitioner submitted a complaint dated 10.09.2025, which was not registered as an FIR, and no investigation was conducted.

4. Sri P. Ajay Babu, learned Assistant Government Pleader for Home, on written instructions, submits that a preliminary inquiry was conducted on the complaint by respondent No. 5, and the averments therein disclose a non-cognizable offence.

5. Be that as it may, if the complaint of the petitioner, who belongs to a Scheduled Caste community, discloses even the commission of a non-cognizable offence, respondent No. 5 is required to make an entry of the substance of the complaint and forward a requisition to the learned jurisdictional Magistrate seeking necessary orders. It appears that respondent No. 5 has not followed the said procedure.

6. Moreover, Section 18A of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for brevity 'the SC and ST (PoA) Act'), provides that preliminary enquiry shall not be required for registration of a First Information Report against any person. The Sub-Inspector of Police, on his

written instructions, submits that he would comply with the orders of this Court.

7. Accordingly, respondent No. 5/Sub-Inspector of Police is directed to submit a requisition to the learned jurisdictional Magistrate if the averments of the complaint disclose the commission of a non-cognizable offence, and to follow the procedure contemplated under the provisions of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity 'the BNSS') scrupulously.

8. In the result, 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: 30.04.2026
KMS

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THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

Writ PETITION No.11586 of 2026

Date: 30.04.2026

KMS