



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

[3521]

FRIDAY, THE TWENTY FOURTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 3303/2026

Between:

1. AMMEPALLI MUNEMMA, W/O. LATE KANNAIH, AGED ABOUT 78 YEARS, R/O. VADDARLAPALLI VILLAGE, H/O. MUTHIREVULA, PUTHALAPATTU MANDAL, CHITTOOR DISTRICT, ANDHRA PRADESH.

...PETITIONER/ACCUSED

AND

1. THE STATE OF ANDHRA PRADESH, REP BY ITS PUBLIC PROSECUTOR, HIGH COURT AT AMARAVATHI, GUNTUR DISTRICT.

2. K RAJESH KUMAR, S/O. LATE A. KANNAIAH, AGED ABOUT 53 YEARS, OCC TS RTC DRIVER, R/O. VADDARLAPALLI VILLAGE, H/O. MUTHIREVULA, PUTHALAPATTU MANDAL, CHITTOOR DISTRICT, ANDHRA PRADESH.

3. A NARASIMHA, S/O K. RAJESH KUMAR, AGED ABOUT 22 YEARS, OCC CULTIVATION, R/O. VADDARLAPALLI VILLAGE, H/O. MUTHIREVULA, PUTHALAPATTU MANDAL, CHITTOOR DISTRICT, ANDHRA PRADESH.

...RESPONDENT/COMPLAINANT(S):

Counsel for the Petitioner/accused:

1. P DURGA PRASAD

Counsel for the Respondent/complainant(S):

1. PUBLIC PROSECUTOR

The Court made the following:

ORDER:

The Criminal Petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (for brevity, 'the Cr.P.C.)/Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity, 'the BNSS'), seeking a direction to the learned II Additional Judicial Magistrate of First Class, Chittoor (for brevity 'the learned Trial Court'), to dispose of the case in C.C.No.1487 of 2023, as early as possible.

2. Heard the learned counsel for the Petitioner and the learned Assistant Public Prosecutor. Perused the record.

3. As seen from the record, the Petitioner seeks expeditious disposal of the C.C.No.1487 of 2023 on the file of 'the learned Trial Court'. In this regard, it is apposite to mention the judgment of the Hon'ble Apex Court in **Abdul Rehman Antulay v. R.S. Nayak**¹, wherein at paragraph No.86 (10) held as under:

"(10) It is neither advisable nor practicable to fix any time-limit for trial of offences. Any such rule is bound to be qualified one. Such rule cannot also be evolved merely to shift the burden of proving justification on to the shoulders of the prosecution. In every case of complaint of denial of right to speedy trial, it is primarily for the prosecution to justify and explain the delay. At the same time, it is the duty of the court to weigh all the circumstances of a given case before pronouncing upon the complaint. The Supreme Court of USA too has repeatedly refused to fix any such outer time-limit in spite of the Sixth Amendment. Nor do we think that not fixing any such outer limit in effectuates the guarantee of right to speedy trial."

¹(1992) 1 SCC 225

4. The Hon'ble Apex Court in **High Court Bar Association, Allahabad v. State of U.P.**², at paragraph No.32 held as under:

“32. Therefore, constitutional Courts should not normally fix a time-bound schedule for disposal of cases pending in any Court. The pattern of pendency of various categories of cases pending in every Court, including High Courts, is different. The situation at the grassroots level is better known to the judges of the concerned Courts. Therefore, the issue of giving out-of- turn priority to certain cases should be best left to the concerned Courts. The orders fixing the outer limit for the disposal of cases should be passed only in exceptional circumstances to meet extraordinary situations.”

5. It is observed that the practice of giving directions to the learned Trial Courts fixing the schedule for disposal of the cases were deprecated by the Hon'ble Apex Court in **Abdul Rehman Antulay and High Court Bar Association, Allahabad** *supra*. However, the right to speedy disposal is one of the facets of the fundamental right guaranteed under Article 21 of the Constitution of India.

6. The Petitioner is aged about 78 years in C.C.No.1487 of 2023. The alleged offence is punishable under Sections 420 and 506 of the Indian Penal Code, 1860 (for brevity, 'the I.P.C.,'). It is apposite to refer to the Circular issued by this Court on the administrative side in ROC No.126/OPCELL-E/2025 dated 27.06.2025, wherein directions were issued to all the Judicial Officers in the State to bestow personal attention and expedite the process of hearing and disposal of cases relating to Senior Citizens on a priority basis. In that regard, the Unit Heads were also directed to submit monthly statements regarding disposal of senior citizen cases on priority.

²AIROnline 2024 SC 143

7. Considering the facts and circumstances of the case, the learned Trial Court is directed to expedite the hearing in C.C. No. 1487 of 2023 and dispose of the same, preferably within a period of three (03) months, and submit a report to the Registrar (Judicial) at the earliest.

8. In the result, the Criminal Petition is disposed of.

As a sequel, Miscellaneous petitions, if any pending, shall stand closed.

DR. Y. LAKSHMANA RAO, J

Date: 24.04.2026
PRA

19

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 3303 of 2026

Date: 24.04.2026
PRA