

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

**FRIDAY, THE FIRST DAY OF MAY
TWO THOUSAND AND TWENTY SIX**

: PRESENT:

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 3363 OF 2026



Between:

Bandi Nithyananda Reddy, S/o B.Venkata Subba Reddy, Aged about 47 years, Occ: Former Deputy Mayor / Business, R/o Kadapa City, Kadapa District.

Petitioner/Accused No.13

AND

1. The State of Andhra Pradesh, rep. by its Public Prosecutor, High Court Buildings, Amaravati.
2. Kalamalla Venkata Dastagiri, S/o Kalamalla Pedda Dastagiri, Aged about 17 years, Occ: Student, R/o D.No.71/8, Gooduru Colony, Alankhan Palle, Kadapa City, YSR Kadapa District. (rep by his father K.P. Dastagiri)

Respondents/De-facto Complainant

Petition under Section 528 of BNSS is filed praying that in the circumstances stated in the grounds filed in support of the Criminal Petition, the High Court may be pleased to call for the records in Cr. No.45 of 2026 on the file of the RIMS U/G Police Station, Kadapa District and quash the same insofar as the Petitioner/Accused No. 13 is concerned.

IA NO: 2 OF 2026

Petition under Section 528 of BNSS is filed praying that in the circumstances stated in the grounds filed in support of the petition, the High Court may be pleased to stay all further proceedings including any coercive steps against the Petitioner in Cr.No.45 of 2026 on the file of the RIMS U/G Police Station, Kadapa District, Pending disposal of CRLP No.3363 of 2026, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri V R Reddy Kovvuri, Advocate for the Petitioner, and of Public Prosecutor for the Respondent No.1, the Court made the following.

ORDER

Sri C. Raghu, learned Senior Counsel appearing for the Petitioner/Accused No.13, submits that the allegation against the Petitioner is that he had harboured the main offenders, and the offence of harbouring principal offenders is punishable with imprisonment of less than seven years. Therefore, the Petitioner is entitled to the benefit under Section 35(3) of the BNSS.

On the other hand, Sri M. Lakshminarayana, learned Public Prosecutor, submits that the Investigating Officer has collected certain material in the course of investigation, namely Google data and call data records, which disclose that all the accused participated in the alleged murder of the father of Respondent No.2 by conspiring together.

Be that as it may, the Investigating Officer is directed to follow the provisions of the BNSS. In the course of investigation, if it is revealed that the Petitioner is liable for an offence punishable with imprisonment of less than seven years, the Investigating Officer shall follow the procedure contemplated under Section 35(3) of the Bharatiya Nagarik

Suraksha Sanhita, 2023 (for brevity, "the BNSS"). However, the Petitioner shall cooperate with the Investigating Officer in all aspects for receiving notice under Section 35(3) of 'the BNSS', and the Investigating Officer may proceed with further investigation. If the investigation reveals commission of any offence punishable with imprisonment exceeding seven years, the Investigating Officer is at liberty to proceed in accordance with law.

Post after Summer Vacation, 2026.

//TRUE COPY//

For

SD/- K.J.RAJA BABU
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The Station House Officer, RIMS U/G Police Station, Kadapa District
2. Kalamalla Venkata Dastagiri, S/o Kalamalla Pedda Dastagiri, Aged about 17 years, Occ: Student, R/o D.No. 71/8, Gooduru Colony, Alankhan Palle, Kadapa City, YSR Kadapa District. (rep by its his father K.P. Dastagiri) (by RPAD)
3. One CC to Sri V R Reddy Kovvuri, Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court of Andhra Pradesh [OUT]
5. One spare copy

HIGH COURT

DR.YLR, J

DATED: 01/05/2026

POST AFTER SUMMER VACATION - 2026

ORDER

CRLP.No.3363 of 2026

INTERIM DIRECTION

