

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
FRIDAY, THE TWENTY FOURTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX



:PRESENT:

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO
CRIMINAL PETITION NO: 3437 OF 2026

Between:

1. Perumalla Phanindra Kumar, S/o.Venkata Vijaya Raghava Rao,Aged about 45 years,R/o. D.No.9-76Near Ramalayam Temple,Nethalavari Veedhi, Velamapeta,Ganapavaram Village and Mandal,Eluru District
(Accused No.1)
2. Perumalla Busha Latha, W/o. Phanindra KumarAged about 43 years, Vysya,R/o. D.No.9-76, Near Ramalayam Temple,Nethalavari Veedhi, Velamapeta,Ganapavaram Village and Mandal,Eluru District
(Accused No.2)
3. Gandhi Anil Kumar, S/o. Venkata Rama Krishna Rao 42 years, Vysya, Main Road,Ganapavaram Village and Mandal Eluru District
(Accused No.5)

.... Petitioner/Accused No.1, 2 and 5

AND

1. The State of Andhra Pradesh, Through the Station House Officer, Ganapavaram Police Station, West Godavari District, Rep. by its Public Prosecutor High Court of Andhra Pradesh, At Amaravati
2. Achutha Venkata Sathya Ramakrishna Pedamallu, S/o. Venkata Subhharao, Aged 46 Years, OccBusiness, R/o. Ganapavaram Village and Mandal, Eluru District

.... Respondent/Complainant

WHEREAS the Petitioners above named through their Advocate SRI D TARAKA PRASAD presented this Petition under Section 528 of BNSS,

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 proceedings in C.C.No.649 of 2025 in Crime No.71/2023 on the file of Court of the Additional Junior Civil Judge-cum-I Additional Judicial Magistrate of First Class, Tadepalligudem. They were alleged to have committed offenses punishable u/s Section 406,420 R/W34 IPC in Crime No.71/2023 of Ganapavaram Police Station.

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri D TARAKA PRASAD Advocate for the Petitioners, Assistant Public Prosecutor for the respondent no.1, directed issue of notice to the Respondent no.2, herein to show cause as to why this CRIMINAL PETITION should not be admitted.

You viz:

Achutha Venkata Sathya Ramakrishna Pedamallu, S/o. Venkata Subhharao, Aged 46 Years, OccBusiness, R/o. Ganapavaram Village and Mandal, Eluru District

are be and hereby directed to show cause either appearing in person or through an advocate on or before 15.06.2026 to which date the case stands posted as to why in the circumstances set out in the petition and the memorandum of grounds filed therewith (copy enclosed) this CRIMINAL PETITION should not be admitted.

IA NO: 2 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be

pleased to grant stay of all further proceedings in C.C.No.649 of 2025 in Crime No.71/2023 on the file of Court of the I Additional Junior Civil Judge-cum-I Additional Judicial Magistrate of First Class, Tadepalligudem. They were alleged to have committed offenses punishable u/s Section 406,420 RW34 IPC in Crime No.71/2023 of Ganapavaram Police Station against the petitioner including the appearance of the Accused A1, A2&A5 till the disposal of the Main Quash Petition, pending disposal of CRLP No. 3437 of 2026, on the file of the High Court.

The Court made the following: ORDER

Heard the learned counsel for the petitioners and the learned Assistant Public Prosecutor.

Issue notice to respondent No.2.

The learned counsel for the petitioners is permitted to take out personal notice on respondent No.2 and file proof to that effect.

Respondent No.2 has alleged that the petitioners have committed offences punishable under Sections 420, 406 of 'the IPC'.

As per the judgments of the Hon'ble Apex Court in Delhi Race Club (1940) Ltd. v. State of U.P.,¹, and Arshad Neyaz Khan v. State of Jharkhand², Sections 409 and 420 of 'the IPC' would not go together.

Considering the entire facts and circumstances of the case, the matter is referred to mediation.

¹ (2024) 10 SCC 690

² 2025 SCC OnLine SC 2058

Ms. Gathala Raja Sree, learned trained Mediator, is appointed as the Mediator in this case.

The Secretary, High Court Legal Services Committee, is directed to issue necessary proceedings in that regard.

The fee for the Mediator shall be fixed at a later point of time.

The petitioners and Respondent No.2 are directed to appear before the learned Mediator on 08.05.2026 or on any other convenient date for the parties and the Mediator.

The learned Magistrate of the Trial Court and the Station House Officer concerned is hereby directed to drive the parties before the Mediator for amicable settlement.

Post the matter after Summer Vacation-2026, for Mediator's report.

Until the conclusion of the mediation proceedings, there shall be a stay of all further proceedings in C.C.No.649 of 2025 on the file of the learned II Additional Civil Judge (Junior Division), Tadepalligudem.

//TRUE COPY//

**Sd/-U.SRIDEVI
DEPUTY REGISTRAR
SECTION OFFICER**

To,

- 1. The Secretary, High Court Legal Services Committee, High Court of Andhra Pradesh, Nelapadu, Amaravati, Guntur District.**
- 2. The II Additional Civil Judge (Junior Division), Tadepalligudem.**
- 3. The Station House Officer, Ganapavaram Police Station, West Godavari District. (to secure the present of the parties for appearance before the mediator on 08.05.2026)**

4. Achutha Venkata Sathya Ramakrishna Pedamallu, S/o. Venkata Subhharao,Aged 46 Years, OccBusiness,R/o. Ganapavaram Village and Mandal,Eluru District **(by RPAD- along with a copy of petition and memorandum of grounds-appearance)**
5. One CC to SRI. D TARAKA PRASAD Advocate [OPUC]
6. One CC to Ms. Gathala Raja Sree, Advocate (Mediator) [OPUC]
7. Two CCs to PUBLIC PROSECUTOR, High Court of Andhra Pradesh [OUT]
8. **One spare copy**

KSR

HIGH COURT

DR.YLR, J

DATED:24/04/2026

Post the matter after Summer Vacation-2026, for Mediator's report.

NOTICE BEFORE ADMISSION

CRLP.No.3437 of 2026

STAY

