

APHC010224972026



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

[3521]

MONDAY, THE TWENTY SEVENTH DAY OF APRIL  
TWO THOUSAND AND TWENTY SIX

**PRESENT**

**THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO**

**CRIMINAL PETITION NO: 3464/2026**

**Between:**

1. MADDIPATI MEENAKSHI ANNAPURNA, W/O. SUNDAR SINGH, D/O. NANDINA VENKATA RAMANA, AGED ABOUT 35 YEARS, PRIVATE EMPLOYEE. R/O. UNDRAJAVARAM VILLAGE AND MANDAL, WEST GODAVARI DISTRICT.

**...PETITIONER/ACCUSED**

**AND**

1. THE STATE OF ANDHRA PRADESH, REP BY ITS PUBLIC PROSECUTOR AT VELAGAPUDI, AMARAVATHI.

2. MADDIPATI SUNDAR SINGH, S/O. SOMESWARA RAO, AGED ABOUT 49 YEARS, R/O. D.NO. 3-16/7, APPM, MALLAYYAPETA, KATHERU ROAD, RAJAMAHENDRAVARAM.

**...RESPONDENT/COMPLAINANT(S):**

**Counsel for the Petitioner/accused:**

1. T RAGHU 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 Family Judge- cum - IX Additional District Judge at Rajamahendravaram, East Godavari District (for brevity, 'the learned Trial Court'), to dispose of the case in CrI.M.P.No.600 of 2024 in FCOP NO.249 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 CrI.M.P.No.600 of 2024 in FCOP NO.249 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**<sup>1</sup>, 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."*

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<sup>1</sup>(1992) 1 SCC 225

4. The Hon'ble Apex Court in **High Court Bar Association, Allahabad v. State of U.P.**<sup>2</sup>, 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. Considering the entire facts and circumstances of the case, 'the learned Trial Court', is directed to expedite the hearing in CrI.M.P.No.600 of 2024 in FCOP NO.249 of 2023 and dispose of the same, and submit a report to that effect to the Registrar (Judicial) as early as possible.
7. In the result, the Criminal Petition is disposed of.

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

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**DR. Y. LAKSHMANA RAO, J**

Date: 27.04.2026  
PRA

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<sup>2</sup>AIROnline 2024 SC 143

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THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

**CRIMINAL PETITION NO: 3464 of 2026**

Date: 27.04.2026  
PRA