



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

[3521]

MONDAY, THE FOURTH DAY OF MAY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 3547/2026

Between:

GUDAVALLI VIDYA SAGAR, S/O. GUDAVALLI ANAND KUMAR, MALE,
AGED 46 YEARS, OCC BUSINESS, R/O. D.NO.28-L-53/L, KUMAR
STREET, 8TH ROAD, SANTHI NAGAR, ELURU. WEST GODAVARI
DISTRICT.

...PETITIONER/COMPLAINANT

AND

1. KAIAPALA GURVARAO, S/O. CHINTHAYYA, MALE, AGED 25
YEARS, OCC PVT. EMPLOYEE, R/O. D.NO.5-6-468, NEAR OLD BUS
STAND, JAGAJEEVAN NAGAR, JANGAREDDY GUDEM, ELURU
DISTRICT.
2. STATE OF ANDHRA PRADESH, REP. BY ITS PUBLIC
PROSECUTOR THROUGH S.H.O. ELURU III TOWN P.S. ELURU,
ELURU DISTRICT HIGH COURT BUILDINGS, NELAPADU,
AMARAVATHI. GUNTUR DISTRICT.

...RESPONDENT(S):

Counsel for the Petitioner/complainant:

B P RAJU

Counsel for the Respondent(S):

PUBLIC PROSECUTOR

2. CRIMINAL PETITION NO: 3548/2026

Between:

GUDAVALLI VIDYA SAGAR, S/O. GUDAVALLI ANAND KUMAR, MALE, AGED 46 YEARS, OCC BUSINESS, R/O.D.NO.28-1-53/1, KUMAR STREET, 8TH ROAD, SANTHI NAGAR, ELURU. WEST GODAVARI DISTRICT.

...PETITIONER/COMPLAINANT

AND

1. GORRELA PAVAN KUMAR, S/O. CHITTIBABU, MALE, AGED 25 YEARS, OCC PVT.EMPLOYEE, R/O. D.NO. 1-20, BRIDGE DOWN, GUNDUGOLANUVILLAGE, BHIMADOLE MANDAL, ELURU DISTRICT.

2. STATE OF ANDHRA PRADESH, REP. BY ITS PUBLIC PROSECUTOR THROUGH S.H.O. ELURU III TOWN P.S. ELURU, ELURU DISTRICT HIGH COURT BUILDINGS, NELAPADU, AMARAVATHI. GUNTUR DISTRICT.

...RESPONDENT(S):

Counsel for the Petitioner/complainant:

B P RAJU

Counsel for the Respondent(S):

PUBLIC PROSECUTOR

3. CRIMINAL PETITION NO: 3549/2026

Between:

GUDAVALLI VIDYA SAGAR, S/O. GUDAVALLI ANAND KUMAR, MALE, AGED 46 YEARS, OCC BUSINESS, R/O.D.NO.28-L-53/L, KUMAR STREET, 8TH ROAD, SANTHI NAGAR, ELURU. WEST GODAVARI

DISTRICT.

...PETITIONER/COMPLAINANT

AND

- 1.YALAMARTHI VARAPRASAD, S/O.BHIMARAJU, MALE, AGED44 YEARS,R/O. D.NO.23B-6-58,C/O. JAYANTHIS HOUSE. BESIDE SIVAKESAVATEMPLE, CHINTACHETTU ROAD, R.R.PET, ELURU. WEST GODAVARI DISTRICT
- 2.STATE OF ANDHRA PRADESH, REP. BY ITS PUBLIC PROSECUTOR THROUGH S.H.O. ELURU III TOWN P.S. ELURU, ELURU DISTRICT HIGH COURT BUILDINGS, NELAPADU, AMARAVATHI. GUNTUR DISTRICT.

...RESPONDENT(S):

Counsel for the Petitioner/complainant:

B P RAJU

Counsel for the Respondent(S):

PUBLIC PROSECUTOR

4.CRIMINAL PETITION NO: 3556/2026

Between:

GUDAVALLI VIDYA SAGAR, S/O. GUDAVALLI ANAND KUMAR, MALE, AGED46YEARS, OCC BUSINESS,R/O.D.NO.28-L-53/L, KUMAR STREET, 8TH ROAD,SANTHI NAGAR, ELURU. WEST GODAVARI DISTRICT.

...PETITIONER/COMPLAINANT

AND

- 1.KORSA PAVAN KUMAR, S/O.VENKATESWARA RAO, MALE, AGED28YEARS, OCC PVT.EMPLOYEE, R/O. D.NO.704, ANNAPURNA ENTRY ROAD,MARUTHI NAGAR,

JANGAREDDYGUDEM, ELURU DISTRICT.

2.STATE OF ANDHRA PRADESH, REP. BY ITS PUBLIC
PROSECUTOR THROUGH S.H.O. ELURU III TOWN P.S. ELURU,
ELURU DISTRICT HIGH COURT BUILDINGS, NELAPADU,
AMARAVATHI. GUNTUR DISTRICT.

...RESPONDENT(S):

Counsel for the Petitioner/complainant:

B P RAJU

Counsel for the Respondent(S):

PUBLIC PROSECUTOR

The Court made the following:

COMMON ORDER:

These four Criminal Petitions are heard together and are disposed of by this common order, though the crimes involved in the four Criminal Petitions are different, the petitioner is one and the same.

2. These four Criminal Petitions have 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 Special First Class Magistrate (Mobile) Court-Cum-III Additional Junior Civil Judge, Eluru, West Godavari District, to dispose of the cases in S.T.C.Nos.179, 176 of 2023 & 245 of 2022 and C.C.No.822 of 2023, as early as possible.

3. Heard the learned counsel for the petitioner and the learned Assistant Public Prosecutor. Perused the record.

4. As seen from the record, the petitioner seeks expeditious disposal of S.T.C.Nos.179, 176 of 2023 & 245 of 2022 and C.C.No.822 of 2023 on the file of the learned Special First Class Magistrate (Mobile) Court-Cum-III Additional Junior Civil Judge, Eluru, West Godavari District. 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."

5. 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."

¹(1992) 1 SCC 225

²AIR Online 2024 SC 143

6. 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.

7. Considering the entire facts and circumstances of the case, the learned Special First Class Magistrate (Mobile) Court-Cum-III Additional Junior Civil Judge, Eluru, West Godavari District, is directed to expedite the hearing in S.T.C.Nos.179, 176 of 2023 & 245 of 2022 and C.C.No.822 of 2023 and dispose of the same, and submit a report to that effect to the Registrar (Judicial) as early as possible.

8. In the result, these four Criminal Petitions are disposed of.

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

DR. Y. LAKSHMANA RAO, J

Date: 04.05.2026
RSI

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THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NOS: 3547, 3548, 3549 and 3556 of 2026

Date: 04.05.2026
RSI