

[3560]

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

:PRESENT:

THE HONOURABLE SRI JUSTICE SUBHENDU SAMANTA
CRIMINAL PETITION NO: 3561 OF 2026



Between:

Thammiseti Siva Prasad, S/o T. Subbaiah, 34yrs, Akkasamudram
Village, Balayapalli Mandal, Tirupathi District.

Petitioner/Accused (Sole)

AND

1. The State of Andhra Pradesh, Rep. by its Public Prosecutor, High Court
of Andhra Pradesh, Amaravathi.

Respondent

2. Tammiseti Seethamma, W/o Srinivasulu, 46 years, Akkasamudram
Village, Balayapalli Mandal, Tirupathi District.

Respondent/Defacto Complainant

WHEREAS the Petitioner above named through his Advocate Sri GALLA RAMA KOTESWARA RAO, presented this Petition under Section 528 of B.N.S.S., 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 entire proceedings in Crime No. 27 of 2026 u/s 108 BNS dated 04.04.2026 registered at Balayapalli Police Station, Tirupati District;

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri GALLA RAMA KOTESWARA RAO, Advocate for the Petitioner, and of Public Prosecutor for 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:

Tammiseti Seethamma, W/o Srinivasulu, 46 years, Akkasamudram Village, Balayapalli Mandal, Tirupathi District.

are be and hereby directed to show cause either appearing in person or through an Advocate, as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this CRIMINAL PETITION should not be admitted.

The Court made the following ORDER:

The Petitioner is arrayed as Accused in Cr.No.27 of 2026, Balayapalli Police station, Tirupathi District, for the alleged offences punishable under Section 108 of the Bharatiya Nyaya Sanhita, 2023¹.

The learned counsel for the Petitioner submits that the ingredients of the offence under Section 108 of 'the BNS' are not substantiated in the complaint. He further submits that the allegations are false and concocted, and that the Petitioner has been falsely implicated in this case. He prays that the proceedings be quashed.

The learned Assistant Public Prosecutor submits that the investigation is in progress and several witnesses are yet to be examined at this stage. Hence, the FIR cannot be quashed.

Heard the learned counsel for the parties.

Considering the entire aspect, it appears that the presence of the de-facto complainant is required to dispose of the matter.

Issue notice to Respondent No. 2.

The learned counsel for the Petitioner is permitted to take out notice on Respondent No. 2 and file proof thereof in the Registry.

¹ 'the BNS'

List the matter after Summer Vacation, 2026.

//TRUE COPY//

For

**SD/- K.SRINIVASA RAJU
ASSISTANT REGISTRAR**

**113
SECTION OFFICER**

To,

1. Tammisetti Seethamma, W/o Srinivasulu, 46 years, Akkasamudram Village, Balayapalli Mandal, Tirupathi District. (by RPAD- along with a copy of petition and memorandum of grounds)
2. One CC to SRI. GALLA RAMA KOTESWARA RAO Advocate [OPUC]
3. Two CCs to Public Prosecutor, High Court of AP [OUT]
4. One spare copy

KJ

HIGH COURT

SS,J

DATED:29/04/2026

LIST THE MATTER AFTER SUMMER VACATION, 2026.

NOTICE BEFORE ADMISSION

CRLP.No.3561 of 2026

