

[3521]

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

:PRESENT:

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO
CRIMINAL PETITION NO: 3715 OF 2026



Between:

Lalam Swamy (Lalam Mani kumar), S/o Lalam srinivasarao, aged 33years, R/o 23-152, Pinaripalem Narsipatnam 531116.

Petitioner/Accused No.1

AND

1. The State of A.P., Rep. by its Public Prosecutor, High Court of A.P.,
Amaravathi.

Respondent/Respondent

2. Dasu Yadagiri, S/o. Apparao, Aged 39 years, R/o., Anakapalli Town,
Anakapalli District.

Respondent/Complainant

WHEREAS the Petitioner above named through his Advocate Sri SURE MAHENDRA, 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 Cr.No.28 of 2026 on the file of the Narsipatnam Rural, Anakapalli District;

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri SURE MAHENDRA, 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:

Dasu Yadagiri, S/o. Apparao, Aged 39 years, R/o.,Anakapalli Town,
Anakapalli 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, on or before 06.05.2026, on which date the case stands posted for hearing.

IA NO: 2 OF 2026

Petition under Section 528 of B.N.S.S. (under section 482 of Cr.P.C), 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 of all further proceedings in Cr.No.28 of 2026 on the file of the Narsipatnam Rural, Anakapalli District, including arrest of the Petitioner, pending disposal of CRLP No. 3715 of 2026, on the file of the High Court.

The Court made the following ORDER:

Issue notice to Respondent No.2.

The learned Counsel for the Petitioner is permitted to take out personal notice on Respondent No.2 and file proof to that effect.

The learned Assistant Public Prosecutor is permitted to take out notice contemplated under Section 15A of the SC/ST (PoA) Act on the 2nd respondent.

Heard the learned Counsel for the Petitioner and the learned Assistant Public Prosecutor.

List on 06.05.2026.

In the meanwhile, since the alleged offences leveled against the Petitioners/Accused Nos. 1 and 2 are punishable with imprisonment for

less than seven (07) years, the Investigating Officer is directed to comply with the guidelines issued by the Hon'ble Apex Court in **Arnesh Kumar v. State of Bihar**¹, and also with the provisions of Section 35(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity, 'the BNSS'). However, the Petitioners shall cooperate with the Investigating Officer 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.

//TRUE COPY//

For

Sd/-U.SRIDEVI
DEPUTY REGISTRAR

SECTION OFFICER

To,

1. The Station House Officer, Narsipatnam Rural, Anakapalli District
2. Dasu Yadagiri, S/o. Apparao, Aged 39 years, R/o., Anakapalli Town, Anakapalli District. (by SPEED POST- along with a copy of petition and memorandum of grounds)
3. One CC to SRI. SURE MAHENDRA Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court of AP [OUT]
5. One spare copy

Kj

HIGH COURT

DR.YLR,J

DATED:30/04/2026

LIST ON 06.05.2026

NOTICE BEFORE ADMISSION

CRLP.No.3715 of 2026

DIRECTION

