

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

TUESDAY, THE FIFTH DAY OF MAY

TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 3985 OF 2026



Between:

Vajrala Tharaka Prathap Reddy, S/o V.Chandramouli Reddy, Aged about 36 years, Occ: Business R/o 15-6-94, Redla Bazar, Guntur Guntur District-522003.

Petitioner/Accused No.2

AND

1. The State of Andhra Pradesh, Rep by its Public Prosecutor, High Court of Andhra Pradesh.
2. Chimbili Prasad Naidu, S/o Late C. Balanna, Aged about 53 years, Occ: Not known to the petitioner, R/o G.V.P Colony, Tadipathri Mandal, Ananthapuram District.

Respondent/Defacto Complainant

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 call for the records in crime No. 193 of 2025 on the file of Tadipathri Rural police station, Ananthapuram District and quash the same the Petitioner/Accused No. 2.

IA NO: 2 OF 2026

Petition under Section 528 of B.N.S.S., 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 all further proceedings in crime No. 193 of 2025 on the file of Tadipathri Rural police station, Ananthapuram District, Pending disposal of CRLP 3985 of 2026, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of Sri RAMALAKSHMANA REDDY SANEPALLI, Advocate for the Petitioner and of PUBLIC PROSECUTOR for the Respondent No.1, the Court made the following;

ORDER:

“The learned Assistant Public Prosecutor submits that the investigation in this case has been completed and a charge sheet has been filed. Therefore, the learned Counsel for the Petitioner is permitted to amend the prayer.

The learned Counsel for the Petitioner submits that no notice, as contemplated under Section 35(3) of the BNSS, was issued to the Petitioner, even though the alleged offences are punishable with imprisonment for a term below seven years.

Having regard to the facts and circumstances of the case, 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 Petitioner 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.

Post after Summer Vacation, 2026.”

//TRUE COPY//

SD/- S.SHYAMALA
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The Station House Officer, Tadipathri Rural police station,
Ananthapuram District (BY SPEED POST)
2. Chimbili Prasad Naidu, S/o Late C. Balanna, Aged about 53 years, R/o
G.V.P Colony, Tadipathri Mandal, Ananthapuram District. (by RPAD)
3. One CC to SRI. RAMALAKSHMANA REDDY SANEPALLI Advocate
[OPUC]
4. Two CCs to Public Prosecutor, High Court of AP [OUT]
5. One spare copy

KJ

HIGH COURT

DR.YLR,J

DATED:05/05/2026

POST AFTER SUMMER VACATION, 2026

ORDER

CRLP.No.3985 of 2026

DIRECTION

