

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

:PRESENT:

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NOS: 5256 AND 5293 OF 2026

CRIMINAL PETITION NO: 5256 OF 2026



Between:

1. Sri Perni Venkata Ramaiah @ Perni Nani, S/o. Perni Krishna Murthy, Aged about 60 years, Occ: Ex-MLA and Former Minister, Government of Andhra Pradesh, R/o. H.No. 23-346, Ramanaidupeta, Machilipatnam, Krishna District, Andhra Pradesh (EX MINISTER & MLA)
2. Devineni Avinash, S/o. Rajasekhar Nehru, Aged about 38 years, Occ: YSRC LEADRE, R/o. D.No. 48-4-16, Ashok Garden, Gunadala, Vijayawada Urban, Krishna District, Andhra Pradesh - 520004.

Petitioner/Accused No.4&5

AND

1. The State of Andhra Pradesh, Rep. by its Public Prosecutor, High Court of Andhra Pradesh, Amaravati.
2. The Station House Officer, Tadepalli Police Station, Guntur District
3. Smt. Tenali Manikyam, W/o Ankayya, Aged about 35 years, R/o Penumaka Village, Tadepalli Mandal, Guntur District.

Respondents

WHEREAS the Petitioners above named through their Advocate Sri Sripathi Ravi Teja, presented this Petition under Section 528 of B.N.S.S. (under section 482 of Cr.P.C), praying that in the circumstances stated in the affidavit filed in support of the Criminal Petition, the High Court may be pleased to: Quash FIR No.412 of 2026 registered by Tadepalli Police Station

together with all consequential proceedings Stay all further investigation and all coercive steps including arrest of the petitioners;

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri Sripathi Ravi Teja, Advocate for the Petitioners, and of Public Prosecutor for Respondent No.1 directed issue of notice to the unofficial Respondents herein to show cause as to why this CRIMINAL PETITION should not be admitted.

You viz:

Smt. Tenali Manikyam, W/o Ankayya, Aged about 35 years, R/o
Penumaka Village, Tadepalli Mandal, Guntur 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 08.07.2026, 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 all further proceedings pursuant to FIR No.412 of 2026 on the file of Tadepalli Police Station, including all coercive steps against the petitioners, in the interest of justice, pending disposal of CRLP No. 5256 of 2026, on the file of the High Court.

CRIMINAL PETITION NO: 5293 OF 2026

Between:

1. Panuganti Chaitanya (A1), S/o Pulla Rao, aged about 35 years, R/o D.No. 62-18-880, Yadava Street, 1/4th Cross Road, Old Guntur, Opp. Teja High School Kothapeta, Guntur, Guntur District

2. Vanama Bala Vajra Babu @ Diamond Babu, (A2), S/o Dasu, aged about 53 years, R/o D.No. 7-17-369/14, Mallikharjuna Peta, 5th Lane, Guntur, Guntur District.
3. Ambati Rambabu, (A3), S/o Late A.V.S.R. Anjaneyulu, aged about 68 years, R/o D.No. 4-20-28/21st Lane, Siddhartha Nagar, Guntur, Guntur District.
4. Leila Appi Reddy (A6), S/o Sambhi Reddy, aged about 59 years, Flat No. 203, Golden Towers, Krishna Nagar Main Road, Opp. Jute Mill Krishna Nagar, Guntur, Guntur District.
5. Donthireddy Sankara Reddy @ Donthireddy Vemareddy (A7), S/o Kotireddy, aged about 74 years, R/o D.No. 3-156, Kotturu, Tadepalli, Guntur District
6. ANN Murthy @ Navaratnala Narayana, S/o Late Kannalu (A8), aged about 53 years, R/o D.No. 2-3, D Polavaram Near Panchayati Office, Tuni, Kakinada District.
7. Meka Venkata Siva Reddy @ Meka Sivareddy (A9), S/o Nagi Reddy, aged about 46 years, R/o D.No. 6-5, Near Elementry School Penumaka, Guntur District.
8. Nune Uma Maheswara Reddy, (A10), S/o Thimma Reddy, aged about 47 years, R/o D.No. 4-36, Peda Palakaluru, Guntur District.

Petitioners/Accused

AND

1. The State of Andhra Pradesh, Rep. by its Public Prosecutor, High Court of Andhra Pradesh., rep by Tadepalli Police Station, Guntur District.
2. Tenali Manikyam, S/o. Ankayya, Aged about 35 years, R/o. Penumaka Village, Tadepalli Mandal, Guntur District.

Respondent No.1

WHEREAS the Petitioners above named through their Advocate Sri Sudharsana Reddy J, presented this Petition under Section 528 of B.N.S.S. (under section 482 of Cr.P.C), 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 proceedings in FIR.No.412 of 2026 dated 27.06.2026 on the file of Tadepalli Police Station, Guntur District Andhra Pradesh;

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri Sudharsana Reddy J, Advocate for the Petitioners, and of Public Prosecutor for Respondent No.1 directed issue of notice to the unofficial Respondent herein to show cause as to why this CRIMINAL PETITION should not be admitted.

You viz:

Tenali Manikyam, S/o. Ankayya, Aged about 35 years, R/o. Penumaka Village, Tadepalli Mandal, Guntur 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 08.07.2026, 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 grant stay all further proceedings in FIR.No.412 of 2026 dated 27.06.2026 on the file of Tadepalli Police Station, Guntur District Andhra Pradesh including taking of any further coercive steps against the Petitioners herein and grant, pending disposal of CRLP No. 5293 of 2026, on the file of the High Court.

The Court made the following ORDER:

“Heard Sri P. Sudhakar Reddy, learned Senior Counsel appearing on behalf of Sri Sudharshan Reddy Jalla, learned counsel for the Petitioners; Sri C. Raghu, learned Senior Counsel appearing on behalf of

Sri Sripathi Ravi Teja, learned counsel for the Petitioners; and Sri M. Lakshminarayana, learned Public Prosecutor.

Issued notice to the unofficial Respondents in the two petitions.

The learned Counsel for the Petitioners is permitted to take out personal notice to the unofficial Respondents and file proof to that effect.

The learned Public Prosecutor is directed to take out notice contemplated under Section 15A(3) of the SC/ST (PoA) Act on the de-facto complainant/victim.

Sri M. Lakshminarayana, learned Public Prosecutor while opposing the grant any relief whatsoever relies on the judgment of the Hon'ble Apex Court in **Practical Solutions Inc. v. State of Telangana**¹, wherein at paragraph Nos.9, 11 and 12 it is held as under:

"9. We are inclined to set aside the impugned order and remit the matter to the High Court with a direction that let the appellant before us (Defacto complainant) be heard and thereafter the High Court may pass a fresh order.

11. However, we make it clear that till the High Court decides afresh, no coercive steps be taken against the respondent nos. 2 and 3, respectively, before us.

12. We also take notice of the fact that infact the petition before the High Court was to quash the FIR. In a petition where quashing of the FIR is prayed for, the High Court should not have passed an order directing the Investigating Officer to comply with Section 41-A of the Criminal Procedure Code, 1973 (for short, "the Cr. P.C.") because it indirectly amounts to granting a relief which High Court could have considered only if a prima facie case for quashing of the FIR is made out."

¹ 2026 SCC Online SC 923

The learned Public Prosecutor has also relied on a decision of the Allahabad High Court in *Shaukin v. State of U.P.*², wherein at paragraph No.6 it is held as under:

“6. We have further clarified that there may be cases where the accused has not been named in the FIR or at the time when the co-accused were picked up, for example in a case of vehicle theft or recovery of other stolen goods, or where the co-accused has been arrested while committing a crime and he names another accused as also having participated in the crime, whose custodial interrogation may be necessary and the police officer is of the opinion that the disclosure furnishes credible information or gives rise to a reasonable suspicion for inferring that the accused whose arrest is sought could also be involved, or there are chances that such an accused would abscond or not respond to a notice under section 41-A, Cr. P.C. to appear, looking to the nature of the crime and the background of the particular accused, these may be appropriate cases where immediate arrests may be needed. Likewise where the accused whose arrest is sought appears to be habitually engaged in committing crimes or appears to be participating in some organized crimes, these would also be circumstances where it may be necessary to arrest such accused without delay. Thus we see that no total embargo has been placed on effecting arrests even in cases punishable upto 7 years imprisonment.”

In another decision relied on by the learned Public Prosecutor in *Arnesh Kumar v. State of Bihar*³, wherein at paragraph No.7.1 it is held as under:

“7.1. From a plain reading of the aforesaid provision, it is evident that a person accused of an offence punishable with imprisonment for a term which may be less than seven years or which may extend to seven years with or without fine, cannot be arrested by the police officer only on his

² 2012 SCC OnLine All 933

³ (2014) 8 SCC 273

satisfaction that such person had committed the offence punishable as aforesaid. A police officer before arrest, in such cases has to be further satisfied that such arrest is necessary to prevent such person from committing any further offence; or for proper investigation of the case; or to prevent the accused from causing the evidence of the offence to disappear; or tampering with such evidence in any manner; or to prevent such person from making any inducement, threat or promise to a witness so as to dissuade him from disclosing such facts to the court or the police officer; or unless such accused person is arrested, his presence in the court whenever required cannot be ensured. These are the conclusions, which one may reach based on facts.”

Sri P. Sudhakar Reddy, learned Senior Counsel for the Petitioners/Accused in CrI.P.No.5293 of 2026 relied on the decision of the Hon’ble Apex Court in **Satender Kumar Antil v. Central Bureau of Investigation**⁴, wherein at paragraph Nos.30 and 31 it is held as under:

“30. While making an arrest under Section 35(6) of the BNSS, 2023, after the stage of issuing a notice seeking presence under Section 35(3) of the BNSS, 2023, the circumstances and factors that were in existence at the time of issuing the said notice shall not be taken into consideration by a police officer while making an arrest subsequently. In other words, for effecting an arrest under Section 35(6) of the BNSS, 2023, it must be based upon materials and factors which were not available with the police officer at the time of issuing a notice under Section 35(3) of the BNSS, 2023. Therefore, the power of arrest under Section 35(6) of the BNSS, 2023 is to be exercised rather sparingly, only under circumstances as aforementioned.

31. Hence, we have no hesitation to hold that a notice under Section 35(3) of the BNSS, 2023 to an accused or any

⁴ Special Leave Petition (Crl.) No.5191 of 2021, dated 15.01.2026

individual concerned, qua an offence punishable with imprisonment up to 7 years, is the rule, while an arrest under Section 35(6) read with Section 35(1)(b) of the BNSS, 2023, is a clear exception.”

Admittedly, all the alleged offences are punishable with imprisonment for a term of less than seven years. The prosecution contends that as many as 23 criminal cases are pending against Accused No.1, 36 cases are pending against Accused No.3, 11 cases are pending against Accused No.5, 23 cases are pending against Accused No.6, 7 cases are pending against Accused No.7, 2 cases are pending against Accused No.9, and 5 cases are pending against Accused No.10.

All the Petitioners/Accused are political leaders belonging to the opposition party. Accused No.4 is a former Minister and MLA. Accused No.5 is the President of the YSRCP, NTR District. Accused No.3 is a former MLA, and Accused No.6 is a former MLC.

The learned Public Prosecutor further submits that Accused No.1 is a rowdy-sheet holder.

The de-facto complainant claims that she belongs to SC-Madiga community. She alleges that, while she was in Undavalli Village along with some other women belonging to her community as well as other communities, she received information that the individuals opposing the development of the Amaravati Capital, i.e., the Petitioners/Accused herein, had arrived in cars towards Penumaka Village. It is further alleged that they raised slogans against the Amaravati Capital Region farmers. When the de-facto complainant and the others questioned the Petitioners/Accused, they allegedly threatened her with dire consequences and abused her in filthy language by referring to her caste. She further alleges that one person by name Rayapudi Kiranbabu,

who belongs to SC-Mala community, humiliated and abused her by taking the name of her caste.

As mentioned supra, all the Petitioners belong to the opposite political party and hold different positions therein. None of the Petitioners belongs to Penumaka Village, where the de-facto complainant resides.

The Hon'ble Apex Court in **P.Krishna Mohan Reddy v. State of Andhra Pradesh**⁵, wherein at paragraph No.27 it is held as under:

“To some extent, the petitioners could be said to have made out a prima facie case of political bias or mala fides but that by itself is not sufficient to grant anticipatory bail overlooking the other prima facie materials on record. Political vendetta or bias if any is one of the relevant considerations while considering the plea of anticipatory bail. The courts should keep one thing in mind, more particularly, while considering the plea of anticipatory bail that when two groups of rival political parties are at war which may ultimately lead to litigations, more particularly, criminal prosecutions there is bound to be some element of political bias or vendetta involved in the same. However, political vendetta by itself is not sufficient for the grant of anticipatory bail. The courts should not just look into the aspect of political vendetta and ignore the other materials on record constituting a prima facie case as alleged by the State. It is only when the court is convinced more than prima facie that the allegations are frivolous and baseless, that the court may bring into the element of political vendetta into consideration for the purpose of considering the plea of anticipatory bail. The frivolity in the entire case that the court may look into should be attributed to political bias or vendetta.”

In view of the fact that all the offences are punishable below seven years. The investigating officer is directed not to arrest the Petitioners

⁵ 2025 SCC Online SC 1157

until further order, but the Petitioners shall appear before the Investigating Officer as instructed by the Investigating Officer in writing and cooperate with the investigation. The Investigating Officer shall proceed with further investigation.

List on 08.07.2026 for hearing of the de-facto complainant.”

Sd/-U.SRIDEVI
DEPUTY REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

- 1) The Station House Officer, Tadepalli Police Station, Guntur District (BY SPEED POST)
- 2) Tenali Manikyam, S/o. Ankayya, Aged about 35 years, R/o. Penumaka Village, Tadepalli Mandal, Guntur District. (by SPEED POST- along with a copy of petition and memorandum of grounds)
- 3) One CC to SRI. SRIPATHI RAVI TEJA Advocate [OPUC]
- 4) One CC to SRI. Sudharsana Reddy J Advocate [OPUC]
- 5) Two CCs to Public Prosecutor, High Court of AP [OUT]
- 6) One spare copy
- 7) One CC to SRI. PUBLIC PROSECUTOR Advocate [OPUC]
- 8) One spare copy

HIGH COURT

DR.YLR,J

DATED:01/07/2026

LIST ON 08.07.2026 FOR HEARING OF THE DE-FACTO COMPLAINANT

NOTICE BEFORE ADMISSION

CRIMINAL PETITION NOS: 5256 AND 5293 OF 2026

DIRECTION

