



IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
TUESDAY, THE TWENTIETH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY TWO

:PRESENT:

THE HONOURABLE SRI JUSTICE CHEEKATI MANAVENDRANATH ROY
WRIT PETITION NO: 25005 OF 2021

Between:

1. S. Fameed Basha, S/o Shaik Basha, Aged about 38 years, Occ- Advocate, R/o 26/52, Muthacharipalyam, Palamaner Town and Mandal, Chittoor District
2. Muzahid Basha, S/o Shaik Basha, Aged about 40 Years, Occ- Advocate, R/o 26/52, Muthacharipalyam, Palamaner Town and Mandal, Chittoor District
3. Shaik Basha, S/o Mahammad Saheb Aged about 61 Years, Occ- Advocate. R/o 26/52, Muthacharipalyam, Palamaner Town and Mandal, Chittoor District.

Petitioners

AND

1. The State of Andhra Pradesh, Represented by its Principal Secretary, Home Department, Secretariat, Velagapudi, Andhra Pradesh
2. The Director General of Police, State of Andhra Pradesh at Amaravathi
3. The Superintendent of Police, Chittoor, Chittoor District, Andhra Pradesh.
4. The Deputy Superintendent of Police, Palamaneru, Chittoor District, Andhra Pradesh.
5. The Station House Officer, Baireddypalli Police Station, Gangavaram Rural, Chittoor District.
6. The Sub-Inspector of Police, Baireddypalli Police Station, Gangavaram Rural, Chittoor District.
7. Central Bureau of Investigation, Rep by its Director, Plot No.5-B. CGO Complex. New Delhi

Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the manner in conducting investigation into the F.I.R. No 209/2020 and filing of the Charge-sheet in C.C.No.377/2020 on the file of Judicial Magistrate (1st Class), Palamaneru as unfair, tainted and faulty, vitiated by malice in law and hit by Article 14 and Article 21 of the Constitution of India and consequently entrust the Crime in FIR.No.209/2020 to Special Investigation Team (SIT) or Central Bureau of Investigation (CBI) or any other Independent Investigation Agency under the control of 3rd Respondent to investigate afresh and file Charge Sheet against Accused in FIR.No.209/2020 .

IA NO: 1 OF 2021

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the 1st Respondent to handover the fresh investigation 7th Respondent in view of tainted, malifide and ex-facie unfair investigation conducted by the 6th Respondent, Pending disposal of WP 25005 of 2021, on the file of the High Court.

IA NO: 1 OF 2022

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to grant stay of all further proceedings in C.C.No. 377/2020 on the file of Judicial Magistrate (1st

Class), Palamaneru, Pending disposal of WP 25005 of 2021, on the file of the High Court.

The petition/Appeal coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Smt. P SARASWATHI Advocate for the Petitioners and of GP FOR HOME for the Respondents Nos. 1 to 6, Sri A CHENNAKESHAVULU, Standing counsel for Respondent No.7 and the Court made the following.

ORDER

"Despite the fact that the matter is posted finally for filing counter-affidavit, learned Assistant Government Pleader for Home requested time for filing counter-affidavit.

Therefore, list the matter on 11.10.2022, on payment of costs of Rs.1,000/- to the A.P. High Court Employees Association, Amaravati, for filing counter-affidavit."

**SD/-SK MD RAFI
ASSISTANT REGISTRAR**

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Principal Secretary, Home Department, Secretariat, Velagapudi, Andhra Pradesh .
2. The Director General of Police, State of Andhra Pradesh at Amaravathi.
3. The Superintendent of Police, Chittoor, Chittoor District, Andhra Pradesh.
4. The Deputy Superintendent of Police, Palamaneru, Chittoor District, Andhra Pradesh.
5. The Station House Officer, Baireddypalli Police Station, Gangavaram Rural, Chittoor District.
6. The Sub-Inspector of Police, Baireddypalli Police Station, Gangavaram Rural, Chittoor District.
7. The Director, Central Bureau of Investigation., Plot No.5-B. CGO Complex. New Delhi (Addressess 1 to 7 by RPAD)
8. One CC to A.P. High Court Employees Association, Amaravathi.
9. One CC to SRI. P SARASWATHI Advocate [OPUC]
10. Two CCs to GP FOR HOME ,High Court Of Andhra Pradesh. [OUT]
11. One CC to SRI. A CHENNAKESHAVULU ,Standing Counsel [OPUC]
12. One spare copy.

Psk

HIGH COURT

CMRJ

DATED:20/09/2022

NOTE : LIST ON 11.10.2022

ORDER

WP.No.25005 of 2021

