

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
THURSDAY, THE TWENTY THIRD DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO
CRIMINAL PETITION NO: 8907 OF 2025



Between:

M Siva Sankar, S/o.Ramanjaneyulu, aged 38 years, Occ Sub-Inspector of Police, Dakkili PS, Chittoor Dist. R/o A/47, D.No.9/219, Teachers Colony, Andhra Pragathi Grameena Bank Venkatagiri, Chittoor Dist

Petitioner/Accused No.4

AND

1. The State of Andhra Pradesh, Rep by Public Prosecutor, High Court of AP, Amaravati
2. Sri Kandala Ramesh Kumar Reddy, S/o. Late Venkata Reddy, aged about 46 years R/o. 26-9-977, Old Vedayapalem, Beside Vedayapalem Railway Station, SPSR Nellore District.

Respondents

Petition Under Section 528 of B.N.S.S/Old Under Section 482 of Cr.P.C, is filed praying that in the circumstances stated in the affidavit filed in support of the Criminal Petition, the Hon'ble court may be pleased to Quash the proceedings in C.C.No. 245 of 2025 on the file of the Judicial Magistrate of I Class, Atmakur, SPSR Nellore District as against this petitioner.

IA NO: 1 OF 2025

Petition Under Section 528 of B.N.S.S/Old Under Section 482 of Cr.P.C, is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to Stay all further proceedings in C.C.No. 245 of 2025 on the file of the Judicial Magistrate of I Class, Atmakur, SPSR Nellore District, including appearance of the petitioner and Pending disposal of CRLP 8907 of 2025, 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 SRI

VENKAT RAO RAVULAPALLI Advocate for the Petitioner, PUBLIC PROSECUTOR for the Respondent Nos.1, Sri V.Roopesh Kumar Reddy, Advocate for R2 and the Court made the following.

ORDER

“The principles of natural justice was not duly complied by the learned Judicial Magistrate of First Class, Atmakur while taking cognizance on 24.06.2025. The learned Judicial Magistrate of First Class, Atmakur has missed the fundamental principle of the law that cognizance would only be taken against the offence, it cannot be taken against the offender. The learned Magistrate has wrongly taken cognizance against Accused No.4/Petitioner. Therefore, the order suffers from material irregularity.

Hence, there shall be stay of all further proceedings in C.C.No.245/2025 on the file of the learned Judicial Magistrate of First Class, Atmakur.

Heard the learned Counsel for the Petitioner in-part.

For further hearing, post after Summer Vacation, 2026.”

//TRUE COPY//

**SD/- N.SRINIVASA RAO
ASSISTANT REGISTRAR
SECTION OFFICER**

To,

- 1. The Judicial Magistrate of First Class, Atmakur**
- 2. Sri Kandala Ramesh Kumar Reddy, S/o. Late Venkata Reddy, aged about 46 years R/o. 26-9-977, Old Vedayapalem, Beside Vedayapalem Railway Station, SPSR Nellore District. (by RPAD)**
- 3. One CC to SRI. VENKAT RAO RAVULAPALLI Advocate [OPUC]**
- 4. One CC to SRI. V ROOPESH KUMAR REDDY Advocate [OPUC]**
- 5. One CC to SRI. LEGAL AID Advocate [OPUC]**
- 6. Two CC's to Public Prosecutor, High Court of AP at Amaravati. [OUT]**
- 7. One spare copy**

TVSR

HIGH COURT

DR.YLR,J

DATED: 23/04/2026

FOR FURTHER HEARING, POST AFTER SUMMER VACATION, 2026

ORDER

CRLP.No.8907 of 2025



INTERIM STAY