



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3521]

WEDNESDAY, THE EIGHTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 7379/2024

Between:

1. THALAGANI @ TANAGANE GURU PRASAD,, S/O. CHINA SUBBAIAH, AGED ABOUT 22 YEARS, OCC WORKING IN ARMY AS A NURSING ASSISTANT, R/O. BALIJKOTA STREET, PORUMAMILLA TOWN AND MANDAL, KADAPA DISTRICT, ANDHRA PRADESH.

...PETITIONER/ACCUSED

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY THE PUBLIC PROSECUTOR, HIGH COURT OF ANDHRA PRADESH, AMARAVATI
2. R SUMAN, S/O NOT KNOWN TO THE ACCUSED O/O. MARKAPUR RURAL PS, MARKAPUR MANDAL, PRAKASAM DISTRICT, ANDHRA PRADESH

...RESPONDENT/COMPLAINANT(S):

Counsel for the Petitioner/accused:

1. GAJJALA MALLIKARJUNA REDDY

Counsel for the Respondent/complainant(S):

1. PUBLIC PROSECUTOR

The Court made the following:

ORDER:

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

2. The Respondent No.2, serving as the Sub-Inspector of Police, is the officer who recorded the police proceedings. It is alleged that the Petitioner, in concert with more than five individuals, formed an unlawful assembly and engaged in a protest against the Agnipath scheme introduced by the Central Government.

3. The Petitioner is stated to have harboured an unfounded apprehension that the implementation of the Agnipath scheme would deprive him or any unemployed person of opportunities for recruitment into the Army. The police proceedings further reveal that the Petitioner participated in an unlawful assembly raising protests against the Central Government and that the assembly was allegedly planning to attack and destroy government property and offices by employing deadly weapons. The case was accordingly registered in Crime No.121/2022 for offences punishable under Sections 120-B, 143, 147, 506 read with 149 and 511 of the Indian Penal Code, 1860, based on the complaint recorded by Respondent No.2.

4. Upon completion of a detailed investigation, a charge-sheet was filed. The Petitioner must establish his innocence before the Trial Court by cross-examining the prosecution witnesses to demonstrate that he was neither a member of the unlawful assembly nor shared any alleged common

object. These matters are quintessentially triable issues and cannot be adjudicated at this stage. This Court finds no merit in the Criminal Petition.

5. Consequently, the Criminal Petition is dismissed. However, considering that the Petitioner is employed as an Army Nursing Assistant, his personal appearance before the learned Trial Court shall not be insisted upon except when specifically required.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

Dr. Y. LAKSHMANA RAO, J

Dated: 18.02.2026
VTS