



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

[3396]

THURSDAY, THE TWELFTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL REVISION CASE NO: 1160/2024

Between:

1. CHANDRAGIRI PRAHALLADA REDDY, S/O. BALA NARASIMHA REDDY, AGED 27 YEARS, R/O. E. RAMAPURAM VILLAGE, KALASAPADU MANDAL, YSR KADAPA DISTRICT.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP BY THE PUBLIC PROSECUTOR THROUGH STATION HOUSE OFFICER, KALASAPADU POLICE STATION.

2. YENUMULA ALLURY REDDY, S/O. POLI REDDY, AGED 59 YEARS, R/O. E. RAMAPURAM VILLAGE, KALASAPADU MANDAL, YSR KADAPA DISTRICT.

...RESPONDENT(S):

Revision filed under Section 397/401 of CrPC praying that in the circumstances stated in the affidavit filed in support of the Criminal Revision Case, the High Court may be pleased to Appellant begs to file this Criminal Revision Case aggrieved by the order made in CrI.MP. No. No. 69 of 2024 in S.C. No. 128 of 2020 on the file of the Assistant Sessions Judge, Badvel, YSR Kadapa District and dated 30.08.2024

IA NO: 1 OF 2024

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 may be pleased to dispense with the filing of certified copy as well as Xerox

copy is filed of order dated 30.08.2024 passed in CrI.MP. No. No. 69 of 2024 in S.C. No. 128 of 2020 on the file of the Assistant Sessions Judge, Badvel, YSR Kadapa District in filing of the Criminal Revision Case and pass such

IA NO: 2 OF 2024

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 May be pleased to stay of all further proceedings in S.C. No. 128 of 2020 on the file of the Assistant Sessions Judge, Badvel, YSR Kadapa District, pending disposal of Criminal Revision Case and pass such

Counsel for the Petitioner:

1.S DUSHYANTH REDDY

Counsel for the Respondent(S):

1.PUBLIC PROSECUTOR

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA**CRIMINAL REVISION CASE NO: 1160/2024****JUDGMENT:**

The present Criminal Revision Case has been filed, challenging the Order dated 30.08.2024 passed by the learned Assistant Sessions Judge, Badvel, YSR Kadapa District in CrI.M.P.No.69 of 2024 in S.C.No.128 of 2020.

2. Heard Mr.S.Dushyanth Reddy, learned counsel for the petitioner/accused No.2, and Mrs.K.Priyanka Lakshmi, learned Assistant Public Prosecutor representing on behalf of the State.

3. The case of the prosecution in brief is that on 16.12.2016 at about 08.00 AM while the defacto complainant going to his field accused persons, armed with sticks obstructed him and assaulted him, beat him with sticks and left him thinking he died. Petitioner herein is Accused No.2 in PRC No.15 of 2017 on the file of the learned Judicial Magistrate of First Class, Badvel, registered for the offences punishable under Sections 307, 324 read with 34 IPC. The police, after investigation, filed charge sheet by deleting the name of the petitioner herein/A2. However, learned Magistrate took cognizance of the offences against A1 to A5 and directed to issue summons to them. Subsequently, the petitioner herein/A2 filed CrI.MP No.69 of 2024 in SC No.128 of 2020 on the file of the learned Assistant Sessions Judge, Badvel, seeking his discharge, but the same was dismissed, vide order dated 30.08.2024. Against which, the present revision has been filed.

4. Learned counsel for the petitioner would submit that after completion of the investigation, the Investigating Officer laid charge sheet against Accused Nos. 1 and 3 to 5, but did not charge sheet the petitioner/Accused No.2. He would further submit that there is no *prima facie* material to proceed against the petitioner and that the case arose out of civil disputes between the complainant and the accused. All the listed witnesses did not state any incriminating material against the petitioner/Accused No.2. In the absence of any *prima facie* case, the learned Trial Judge ought to have considered the petitioner's discharge petition.

5. Learned Assistant Public Prosecutor would submit that the impugned order was passed after careful consideration of the material placed on record before the Trial Court and does not warrant any interference of this Court. She would further submit that the learned Trial Judge has also observed that the complaint and the statement of the complainant show that there is sufficient ground for proceeding against the petitioner. She would also submit that the statements of the other witnesses *prima facie* indicate the presence of the petitioner at the scene, even though they have not specifically stated his participation in the offence.

6. Considering the submissions and a fair look at the material placed on record and the impugned order, the learned Trial Judge has carefully considered the case and the evidence and observed that the complaint and the statement of the complainant show that there is sufficient ground for proceeding against the petitioner. It is also observed that the statements of the

other witnesses would *prima facie* indicate the presence of the petitioner at the scene, even though they have not specifically stated his participation in the offence. The learned Trial Judge has correctly exercised his judicial discretion in considering the discharge petition, and the impugned order does not warrant any interference of this Court in revision. Therefore, the present Criminal Revision Case is liable to be dismissed.

7. Accordingly, this Criminal Revision Case is dismissed.

Consequently, miscellaneous applications pending, if any, shall stand closed.

DR. JUSTICE VENKATA JYOTHIRMAI PRATAPA

Date: 12.02.2026.
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THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

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Dt.12.02.2026

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