

**(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
THURSDAY, THE SIXTEENTH DAY OF OCTOBER,
TWO THOUSAND AND TWENTY FIVE**

:PRESENT:

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL PETITION NO: 10951 OF 2025



Between:

1. B Mahesh, S/o Kondaiah, Aged about 30 years, R/o D.No.20-922, Kota Kuruba Street, Dharmavaram town, Anantapuramu district.
2. Kondaiah B, S/o B Mallesu, Aged about 58 years, R/o D.No.20-923, Kota Kuruba Street, Dharmavaram town, Anantapuramu district.
3. Narayanamma, W/o B Kondaiah, Aged about 58 years, R/o D.No.20-923, Kota Kuruba Street, Dharmavaram town, Anantapuramu district
4. Shivamma B, D/o K B Goutham, Aged about 32 years, R/o Nizampet, Anjineya circle, Hyderabad, Telangana
5. Pamala NarayanaSwamy, S/o Pamalla Kullayappa, Aged about 45 years, R/o D.No.5-137, Raptadu, Anantapuramu district.
6. B Vinod Kumar @ Vinod, S/o B Siva Prasad, R/o Dharmavaram town Anantapuramu district.

....Petitioners/Accused No.1 to 6

AND

1. The State of Andhra Pradesh, Through S.H.O, Raptadu, Represented by P P High Court Of Andhra Pradesh, Amaravathi.

...Respondent/Complainant

2. Dokka Geethanjali, W/o B Mahesh, D/o Nallaraju, Aged about 26 years, R/o H.No. Gandlaparti Town, Raptadu mandal, Anantapuramu district.

Respondent/De-facto Complainant

WHEREAS the Petitioner/Accused above named through their Advocate M/s AYESHA AZMA S presented this Petition under Section 528 OF BNSS (482 OF Cr.P.C) , is filed praying that in the circumstances stated in

the memorandum of grounds filed in support of the Criminal Petition, the High Court may be pleased to call for the records relating to and in connection with vide, the First Information Report in Cr. No. 130 of 2025 dated 01.09.2025 on the file of Rapthadu Police Station, Anantapuramu District registered under Sections 85 r/w 3(5) BNS, Sections 3,4 DP Act.

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of M/s AYESHA AZMA S Advocate for the Petitioner, and of PUBLIC PROSECUTOR for the Respondent No.1 directed issue of notice to the Respondent No.2 herein to show cause as to why this CRIMINAL PETITION should not be admitted.

You viz:

Dokka Geethanjali, W/o B Mahesh, D/o Nallaraju Aged about 26 years, R/o H.No. Gandlaparti Town, Raptadu mandal, Anantapuramu 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 grounds filed therewith (copy enclosed) this CRIMINAL PETITION should not be admitted, on or before 19.12.2025, on which date the case stands posted for hearing.

IA NO: 1 OF 2025

Petition under Section 528 OF BNSS (482 OF Cr.P.C) , is filed praying that in the circumstances stated in the memorandum of grounds filed in support of the petition, the High Court may be pleased to grant stay of all further proceedings in FIR No. 130 of 2025 dated 01.09.2025 on the file of Rapthadu Police Station, Anantapuramu District under Sections 85 r/w 3(5) BNS, Sections 3,4 DP Act ,pending disposal of CRLP No. 10951 of 2025, on the file of the High Court.

The Court made the following: ORDER

“Heard the learned counsel for the Petitioners.

Learned Assistant Public Prosecutor takes notice for the State.

Learned counsel for the Petitioners would submit that all the offences are punishable below seven years of imprisonment and a direction may be given to the Police to follow the guidelines issued by Hon'ble Apex Court in Arnesh Kumar v. State of Bihar¹ reported in (2014) 8 SCC 273, since Section 35(3) of BNSS is pari materia to Section 41-A of the Code of Criminal Procedure.

Learned Assistant Public Prosecutor fairly conceded the same and would submit that a direction may be given to the Police to follow the procedure as established under Section 35(3) of BNSS since the offences are punishable with an imprisonment of below seven years. In that view, the Police are directed to follow the guidelines issued by the Hon'ble Apex Court in Arnesh Kumar v. State of Bihar (referred supra) scrupulously. The Police are further directed not to take any coercive steps against the petitioners and investigation may go on.

Issue notice to Respondent No.2.

Learned counsel for the Petitioners is permitted to take out personal notice on Respondent No.2 through RPAD/Courier and file proof of the same.

List the matter on 19.12.2025."

SD/- K. KASIRAO ACHARI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

For

To,

1. The S.H.O, Rapthadu Police Station, Anantapuramu District .
2. Dokka Geethanjali, W/o B Mahesh, D/o Nallaraju Aged about 26 years, R/o H.No. Gandlaparti Town, Raptadu mandal, Anantapuramu district.
(by RPAD- along with a copy of petition and memorandum of grounds)
3. One CC to SRI. AYESHA AZMA S Advocate [OPUC]

4. Two CCs to PUBLIC PROSECUTOR, High Court of Andhra Pradesh
[OUT]

5. One spare copy

ADP

HIGH COURT

DR.VJP,J

DATED: 16/10/2025

List the matter on 19.12.2025

NOTICE BEFORE ADMISSION

CRLP.No.10951 of 2025

DIRECTION

