

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

MONDAY, THE TWENTY SEVENTH DAY OF APRIL

TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 9378 OF 2024



Between:

P. Deva Suresh, Son of Trinadha Rao, Aged 36 years, SI of Police, Ramgopalpet PS, Secunderabad, (Now SI of Police, CCS, Hyderabad) Telangana State, r/a. 1-7-391/5/423, Sri Sai Nilayam Sarswati Nagar, Saidabad, Hyderabad.

...Petitioner/A-5.

AND

1. The State of Andhra Pradesh; repled. by its Public Prosecutor, High Court of A.P., High court Buildings, Nelapadu, Amaravati, Guntur District.
2. Kuram Vijaya Sekhar, S/o Pentayya, aged 35 years, Private Employee, ST/Koya, Tellamvarigudem village, Buttaigudem Mandal. (Complainant)

...Respondents

Petition under Section 528 of BNSS (old Act under sec 482 of Cr.P.C), praying that in the circumstances stated in the affidavit filed in support of the Criminal Petition, the High Court may be pleased to quash the P.R.C. No. 20/2023 on the file of the Judicial Magistrate of I class, Jangareddigudem in so far as the petitioner/A5 is concerned for the offences under Secs.323 324, 447, 427 r/w 34 IPC and Sec.3(1)(viii) of SC & ST (POA) Act.

IA NO: 1 OF 2024

Petition under Section 528 of B.N.S.S. (under section 482 of Cr.P.C), is filed praying that in the circumstances stated in the grounds filed in support of the petition, the High Court may be pleased to stay all further proceedings against the petitioner/A5 in P.R.C. No. 20/2023 on the file of the

Judicial Magistrate of I class, Jangareddiguem, Pending disposal of CRLP 9378 of 2024, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the memorandum of grounds filed in support thereof and the arguments of Sri M BALASUBRAHMANYAM Advocate for the Petitioner and of Public Prosecutor for the Respondent No.1, the Court made the following;

ORDER:

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

At the request of the learned Counsel for the Respondent No.2, for filing counter, if any, list after Summer Vacation, 2026.

The de facto complainant in Crime No.63 of 2020 lodged a complaint against Respondent No.2 on 21.03.2020, which was registered for the alleged offence punishable under Section 354-D of the Indian Penal Code. In the course of investigation, while discharging his official duties, it appears that the Petitioner visited the place where Respondent No.2 was residing and attempted to execute the process of law for the purpose of conducting the investigation.

The FIR in Crime No.63 of 2020 culminated in C.C. No.5 of 2021 on the file of the learned XXII Additional Chief Metropolitan Magistrate at Secunderabad. Subsequently, the case ended in acquittal. In the said case, P.W.3 (the Petitioner herein) appears to have given certain favourable evidence during his cross-examination.

It further appears that the learned jurisdictional Magistrate at Jangareddigudem is conducting an inquiry on a complaint instituted by Respondent No.2, not only against the victim/de facto complainant in Crime No.63 of 2020, who is arrayed as Accused No.1, but also against a local political leader, a local intermediary, the present Petitioner (who is

a Sub-Inspector of Police at Hyderabad), and another Sub-Inspector of Police (arrayed as Accused No.5) of Ramgopalpet Police Station. In the said complaint, Respondent No.2 alleges that the Petitioner/Accused No.5 came to his house, created a disturbance, and used abusive language.

It appears that the Petitioner, while discharging his duties as the Investigating Officer in Crime No.63 of 2020, acted in execution of the directions of his superior officers for the purpose of investigation, and that the alleged acts are connected with the discharge of his official duties. No prior sanction has been obtained for prosecuting the Petitioner.

Having regard to the entire facts and circumstances of the case, there shall be a stay of all further proceedings in P.R.C. No.20 of 2023 on the file of the learned Judicial Magistrate of First Class, Jangareddigudem, until further orders.

//TRUE COPY//

SD/- M.SRINIVAS
ASSISTANT REGISTRAR
NB
SECTION OFFICER

To,

1. The Judicial Magistrate of I class, Jangareddigudem
2. The Station House Officer, Ramagopalpet Police Station, Hyderabad
3. Kuram Vijaya Sekhar, S/o Pentayya, aged 35 years, Private Employee, ST/Koya, Tellamvarigudem village, Buttaigudem Mandal. (by RPAD)
4. One CC to SRI. M BALASUBRAHMANYAM, Advocate [OPUC]
5. Two CCs to PUBLIC PROSECUTOR, High Court of Andhra Pradesh.
[OUT]
6. One spare copy

HIGH COURT

DR.,YLR,J

DATED:27.04.2026

LIST AFTER SUMMER VACATION, 2026

ORDER

CRLP.No.9378 of 2024

STAY

