



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

[3396]

FRIDAY, THE TENTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL REVISION CASE NO: 1205/2023

Between:

1. THAMATAM NARENDRA BHUPAL REDDY, S/O T. MURALI KRSIHNA REDDY, HINDU, MALE, AGED ABOUT 19 YEARS. STUDENTS, R/O KONDAPETA @ BAYANAPALLI VILLAGE, CHENNUR MANDEL, KADAPA DISTRICT.
2. THAMATAM KUMAR INDRA KARAN REDDY, S/O S/O T. MURALI KRSIHNA REDDY HINDU, MALE, AGED ABOUT 18 YEARS. STUDENTS, R/O KONDAPETA @ BAYANAPALLI VILLAGE, CHENNUR MANDEL, KADAPA DISTRICT.

...PETITIONER(S)

AND

1. THE STATE OF A P, REP. BY ITS PUBLIC PROSECUTOR, HIGH COURT OF A.P., AMARAVATHI.
2. UNDELA PENCHAL REDDY, S/O LATE HAZARATH REDDY, HINDU, MALE AGED ABOUT 54 YEARS, R/O KODAPETA VILLAGE, CHENNUR MANDLE, 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 set aside the order dated- 27-02-2023 passed against the petitioner in CrI.M.P.No.2592 of 2022 in Cr.No.123 of 2021 numbered as C.C.No.458 of 2023 passed by the Special Judicial Magistrate of I Class For Prohibition and Excise Offences, Kadapa taking

cognizance against the petitioner herein as Accused No.3 and Accused No.4 in Cr.No.123 of 2021 number as C.C.No.458 of 2023 of Chennur P.S., of the offences under Section 324 r/w 34 of IPC and to pass

IA NO: 1 OF 2023

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 to grant stay of all the proceedings of the Order Dt.27.02.2023 passed in Crl.M.P.No.2592 of 2022 in Cr.No.123 of 2021 numbered C.C.No.458 of 2023 passed by the Special Judicial Magistrate of I Class For Prohibition and Excise Offences, Kadapa taking cognizance against the petitioner herein as Accused No.3 and Accused No.4 in Cr.No.123 of 2021 numbered as C.C.No.458 of 2023 of Chennur P.S., of the offences under Section 324 r/w 34 of IPC or to pass

Counsel for the Petitioner(S):

1.MURALI LINCOLN

Counsel for the Respondent(S):

1.PUBLIC PROSECUTOR (AP)

The Court made the following:

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL REVISION CASE NO: 1205/2023

JUDGMENT:

This Criminal Revision Case has been filed by the petitioners seeking to set-aside the order dated 27.02.2023 passed in Crl.M.P No.2592 of 2022 in C.C.No.458 of 2023 by the learned Special Judicial Magistrate of I Class for Prohibition and Excise Offences, Kadapa, against the petitioner herein as accused Nos.3 and 4 in Crime No.123 of 2021 for the offences punishable under section 324 r/w 34 of IPC.

2. Heard Sri Murali Lincoln, learned counsel for the petitioners and Mrs.K.Priyanka Lakshmi, learned Assistant Public Prosecutor representing on behalf of the State.

3. Learned counsel for the petitioners submits that initially, a crime was registered as FIR No. 123 of 2021 based on the complaint filed by the de facto complainant against accused Nos. 1 to 4 for the offences punishable under Section 324 read with 34 of IPC. After investigation, the police filed a charge sheet before the learned Special Judicial Magistrate of I Class for Prohibition and Excise Offences, Kadapa deleting accused Nos.3 & 4. The learned Trial Court took cognizance only against accused Nos. 1 and 2, and the names of accused Nos. 3 and 4, who are the petitioners herein, were omitted. He further

submits that the de facto complainant, aggrieved by the same, filed Crl.M.P. No. 2592 of 2022, and the said petition was allowed, by taking cognizance against the petitioners herein/accused Nos. 3 & 4. Aggrieved by the said order, the present revision is preferred.

4. Learned Assistant Public Prosecutor submits that this Court may pass appropriate orders, as the impugned order pertains only to taking cognizance.

5. As can be seen from the record, the present revision has been preferred against the order taking cognizance against accused Nos. 1 to 4. A perusal of the impugned order indicates that the learned Trial Court has not passed any final order, nor has it imposed any fine or sentence. The contentions raised in the present revision involve disputed questions of fact, and this is not the appropriate stage to determine the genuineness or otherwise of the claims made by the parties. The learned Trial Judge, after considering the material placed before him, has passed the impugned order taking cognizance for the offence punishable under section 324 r/w 34 of IPC against accused Nos.1 to 4, sine the sworn statement of complainant and other material would make out prima facie case against all the accused. Hence, this Court is of the view that there are no grounds warranting interference with the said order.

6. Accordingly, the Criminal Revision Case is disposed of, without prejudice to the rights and contentions of the petitioners herein. However, the

learned Trial Judge is directed to dispose of the main case as expeditiously as possible, without granting adjournments in a casual manner, preferably within a period of three (3) months from the date of receipt of a copy of this judgment.

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

DR. JUSTICE VENKATA JYOTHIRMAI PRATAPA

Date: 10.04.2026.

Note: Issue C.C. by today

B/o.

PBS

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THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL REVISION CASE NO: 1205/2023

Dt.10.04.2026

Note: Issue C.C. by today
B/o.
PBS