

HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

MAIN CASE No. CrI.P.No.12425 of 2025

PROCEEDING SHEET

Sl. No.	DATE	ORDER	OFFICE NOTE
01.	01.12.2025	<u>Dr.VJP, J</u> <u>I.A.No.1 of 2025</u> Heard Sri Ch.Masthan Naidu, learned Senior Counsel assisted by Sri Harinadh Nidamanuri, learned counsel for the Petitioner / Accused No.1 and Sri K.Priyanka Lakshmi, learned Assistant Public Prosecutor for State. Learned Senior Counsel would submit that the Petitioner / Accused No.1 being the Vice President of Panguluri Seetamma Trust, with a view to safeguard the properties of the Trust, has been desisting the illegal efforts of the third parties, who have been trying to knock away the properties of the Trust. In that view, the third parties, who have got political influence, got implicated the Petitioner in the present crime with false allegations. Learned counsel would further submit that, none of the persons came forward alleging that they sustained loss or they were cheated by the Petitioner herein. It is further submitted that, as seen from the contents of the FIR, there are no ingredients to attract the offences alleged against the Petitioner. Learned Senior Counsel for the Petitioner would further submit that, continuation of proceedings against the Petitioner would amount to abuse of process of law. Hence, prayed to grant stay of all further proceedings against the Petitioner in Crime No.468 of 2025 on the file of Kurnool III Town Police Station, Kurnool District. Learned counsel would further submitted that, this Court <i>vide</i> interim order dated 12.09.2025 in CrI.P.No.9242 of 2025 in Crime No.194 of 2025 directed the Police not to take any coercive steps against the Petitioner herein.	

		Ms.K.Priyanka Lakshmi, learned Asst. Public Prosecutor takes notice on behalf of the State. She would submit that, there are specific allegations leveled against the Petitioner in the commission of the alleged offences. It is further submitted that investigation may go on to reveal the truth or otherwise of the said allegations. It is further submitted that, without serving notice under Section 15-A of SCST (PoA) Act to the victim, any order cannot be passed in favour of the Accused. In support of her contentions, learned Assistant Public Prosecutor has placed reliance on the judgments of the Hon'ble Supreme Court in Hariram Bhambhi vs. Stayanarayan and another¹ and the High Court of Delhi in X vs. State NCT of Delhi and another². Admittedly, there are several properties belong to Panguluri Seetamma Arya Vysya Trust, and in view of the claims over the properties of the Trust by third parties, the disputes were dealt with, by the Hon'ble Division Bench of this Court in A.S.Nos.421 of 1992 and batch, which was upheld by the Hon'ble Supreme Court in Civil Appeal No. 11800 of 2018 dated 15.02.2024. Further, the Petitioner also filed W.P.Nos.13963 of 2024 and 13965 of 2024 before this Court to protect the properties of the Trust and the same are pending consideration. It is alleged that, the Petitioner herein, along with Accused Nos.2 and 3 posted some defamatory comments against one Sri T.G.Venkatesh, who is the Chairman of Arya Vysya Association Development Chairman stating that he engaged in illegal activities and with the support of Respondent No.2 involved in land grabbing activities. It is also alleged that Petitioner and Accused Nos.2 and 3 on 22.09.2025 picked up a quarrel with Respondent No.2, abused him in the name of his caste and forcibly had taken cash of Rs.10,000/- from his pocket. As seen from the contents of the FIR, there is verifiable material to be disclosed during	
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¹ 2021 SCC OnLine SC 1010

² 2024 SCC OnLine Del 1027 19 SCC 401

investigation and that, this is not the stage to decide the truth or otherwise of the said allegations or culpability of the Petitioner / A.1 in the commission of the alleged offences, by going into merits of the case.

In such circumstances, Respondent – Police are directed to proceed with the investigation in Crime No.468 of 2025 on the file of Kurnool III Town Police Station, Kurnool District. However, the Police are further directed not to take any coercive steps against the Petitioner / Accused No.1 relating to the said Crime, till the next date of hearing. Petitioner / Accused No.1 is directed to cooperate with the investigating agency. He shall appear before the Investigating Agency as and when required.

Dr.VJP, J

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Meanwhile, learned counsel for the Petitioner is permitted to take out personal notice to Respondent No.2 through Speed Post / Courier and file proof of the same.

List the matter after four (04) weeks.

Dr.VJP, J

Dinesh