



(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
TUESDAY, THE SECOND DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA
CRIMINAL PETITION NO: 12470 OF 2025

Between:

1. Duggempudi Prabhakar Reddy, S/o Marreddy Duggimpudi Aged about 61 Years H.No 4-23-66/1C, Mutyala Reddy Nagar 8th line Amaravathi Road, Guntur Chandramouli Nagar, Andhra Pradesh 522007
2. Arun Teja Reddy, S/o Prabhakara Reddy D Aged about 37 Years H.No 4-23-66/1C Mutyala Reddy Nagar 8th line Amaravathi Road, Guntur Chandramouli Nagar. Andhra Pradesh 522007
3. Konda Rama Chandra Reddy, S/o Konda Rama Koti Reddy Aged about 43 Years House Number 1-107 Poleramma Temple Reddy Palem Pedakakani Guntur Andhra Pradesh 522509
4. Venkata Reddy, S/o A Rami Reddy Aged about 26 Years D.No 2-93, Reddi Palem, Peddakakani, Guntur District, Andhra Pradesh 522509

.... Petitioners/Accused No. 1 to 4

AND

1. The State of Andhra Pradesh, Rep. by its Nallapadu Police Station Through its Public Prosecutor, Honble High Court of Andhra Pradesh.
2. Makkena Veeranjanyulu, S/o Subaiah Aged about 50 Years, 2nd line, Annapurna Nagar, Gorantla Guntur, Guntur District.

... Respondent/De-facto Complainant

WHEREAS the Petitioners/Accused No.1 to 4 above named through their Advocate SRI SHAIK KHAJA BASHA presented this Petition under Section 528 of BNSS/Section 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 call for the records in F.I.R No. 983 of 2025, dated 21.09.2025 on the file of Nallapadu Police Station, Guntur District for the alleged offences under section 118(2), 351 (2) R/w 3(5) of Bharatiya Nyaya Sanhita, 2023 and quash the same.

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri SHAIK KHAJA BASHA Advocate for the Petitioners, Assistant 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:

Makkena Veeranjaneeyulu, S/o Subaiah Aged about 50 Years, 2nd line, Annapurna Nagar, Gorantia Guntur, Guntur District.

are be and hereby directed to show cause either appearing in person or through an advocate on or before 03.02.2026 to which date the case stands posted as to why in the circumstances set out in the petition and the memorandum of grounds filed therewith (copy enclosed) this CRIMINAL PETITION should not be admitted.

IA NO: 2 OF 2025

Petition under Section 482 of CrPC & u/s 528 of BNSS is filed 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 further proceedings including arrest of the petitioners in F.I.R No. 983 of 2025, dated 21.09.2025 on the file of Nallapadu Police Station, Guntur District for the alleged offences

under section 118(2), 351 (2) R/w 3(5) of Bharatiya Nyaya Sanhita, 2023, pending disposal of CRLP No. 12470 of 2025, on the file of the High Court.

The Court made the following: ORDER

Heard the learned Senior Counsel assisted by the learned counsel for the petitioners on record. 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 Bihar*¹ 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.

Issue notice to Respondent No.2.

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

List the matter on 03.02.2026.

Sd/-N.NAGAMMA

ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

¹ (2014) 8 SCC 273

To,

1. The SHO, Nallapadu Police Station, Guntur District.
2. Makkena Veeranjanyulu, S/o Subaiah Aged about 50 Years, 2nd line, Annapurna Nagar, Gorantla Guntur, Guntur District. (by RPAD- along with a copy of petition and memorandum of grounds)
3. One CC to SRI. SHAIK KHAJA BASHA Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR, High Court of Andhra Pradesh [OUT]
5. One spare copy

ksr

HIGH COURT

DR.VJP, J

DATED:02/12/2025

List the matter on 03.02.2026.

NOTICE BEFORE ADMISSION

CRLP.No.12470 of 2025

DIRECTION

