



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

[3396]

THURSDAY, THE FOURTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL PETITION NO: 12522/2025

Between:

1.SANTOSH CHATURVEDI, S/O. FEKU CHAUBEY, AGED ABOUT 52 YEARS, OCC BUSINESS,R/O. 93 , MOHALLA SAHADATPURA,MAUNATH BHANJAN, MAU DISTRICT,UTTAR PRADESH - 275101

...PETITIONER/ACCUSED

AND

1.THE STATE OF ANDHRA PRADESH, REP. BY ITS PUBLIC PROSECUTOR,HIGH COURT OF ANDHRA PRADESH, AT AMARAVATI,REP. THROUGH STATION HOUSE OFFICER,ELURU TOWN POLICE STATION,WEST GODAVARI DISTRICT.

2.INTURI SIVA RAMA KRISHNA, S/O SAMBASIVA RAO, AGED ABOUT 43 YEARS, R/O. VATIURU VILLAGE,PEDAPADU MANDAL, WEST GODAVARI DISTRICT.

...RESPONDENT/COMPLAINANT(S):

Petition under Section 437/438/439/482 of Cr.P.C and 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Courtmay be pleased to quash the C.C. No. 706 of 2018 dated 30.11.2018, In the Honourable Court of II Addl Judicial Magistrate of First Class, Eluru., arising out of Crime No. 302 of 2014 on the file of III Town Police Station, Eluru., against the petitioner/Accused No.2 and pass such

IA NO: 1 OF 2025

Petition under Section 482 of Cr.P.C and 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition,the High Court may be pleased may be pleased to dispense with filing of the C.C. No. 706 of 2018 dated 30.11.2018, In the Honourable Court of II Addl Judicial Magistrate of First Class, Eluru. and pass such

IA NO: 2 OF 2025

Petition under Section 482 of Cr.P.C and 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition,the High Court may be pleased may be pleased to stay all further proceedings against the petitioner / Accused No. 2 in C.C. No. 706 of 2018 dated 30.11.2018, In the Honourable Court of II Addl Judicial Magistrate of First Class, Eluru., arising out of Crime No. 302 of 2014 on the file of III Town Police Station, Eluru., pending disposal of the above Criminal Petition, and pass such

Counsel for the Petitioner/accused:

1.K V ADITYA CHOWDARY

Counsel for the Respondent/complainant(S):

1.PUBLIC PROSECUTOR

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA
CRIMINAL PETITION NO: 12522/2025

Order:

The instant petition under Section 482 of the Code of Criminal Procedure, 1973 has been filed, by the Petitioner/Accused No.2, seeking quashment of the proceedings against him in C.C No.706 of 2018 on the file of the learned II Additional Judicial Magistrate of First Class, Eluru.

2. Heard Sri K.V.Aditya Chowdary, learned counsel for the petitioner, and Ms. K. Priyanka Lakshmi, learned Assistant Public Prosecutor representing the respondent No.1.

3. The learned counsel for the petitioner would submit that this criminal petition may be disposed of by granting liberty to the petitioner to file an appropriate application before the learned Trial Court seeking recall of the Non-Bailable Warrant, which is pending against the petitioner/accused No.2, as the petitioner is suffering from serious ill-health and is bed ridden.

4. Learned Assistant Public Prosecutor is present and opposed the petition.

5. Considering the submissions made, without causing any prejudice to the rights and contentions of the petitioner, this Criminal Petition is disposed of, granting liberty to the petitioner to file an appropriate application before the learned Trial Court to recall the Non-Bailable Warrant, pending against the

petitioner. On filing of such application, the learned Trial Judge is directed to consider the same in accordance with law to get sureties to ensure the presence of the petitioner before the Court, as and when directed.

6. However, the presence of the petitioner/accused No.2 before the learned Trial Court is dispensed with, unless his presence is specifically directed by the learned Trial Court, in view the submission that the petitioner is bed ridden.

In the result, the Criminal Petition is disposed of. There shall be no order as to costs.

As a sequel thereto, miscellaneous petitions pending, if any, shall stand closed.

Dr. JUSTICE VENKATA JYOTHIRMAI PRATAPA

Date:04.12.2025

Note: Issue C.C today

B/o.

Ksj