



**(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI**

FRIDAY, THE FIFTH DAY OF DECEMBER,
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

**THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA
CRIMINAL PETITION NO: 12584 OF 2025**

Between:

1. Yandamuri Suryaprasad, S/o Somalingacharyulu, Aged about 40 years,
R/o D.No. 32-4-51/A, Muchchumilli Road, Ramachandrapuram, East
Godavari District. (A5)
2. Syed Riyaz, S/o Habeeb Rehaman, Aged about 40 years, D.No. 2-1-3,
Ashramas Treet, Alcot Gardens Rajahmundry Urban, East Godavari
District (A7)

...Petitioners/A5 & A7

AND

1. The State Station House Officer, Anaparthi P.S., East Godavari District
Through Public Prosecutor, High Court of Andhra Pradesh at Amaravati.
(Complainant)
2. Pithani Lakshmi Thulasi, W/o Pithani Venkata Ramana, Aged about 47
years, R/o Anaparthi Village and Mandal East Godavari District
(Defacto Complainant)

Respondent/Complainant

WHEREAS the Petitioner/Accused above named through their
Advocate Sri.VENKATA DURGA RAO ANANTHA presented this Petition under
Section 528 of BNSS, 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 proceedings in FIR No. 95 of 2025 of Anaparthi Police Station, East Godavari District, dated 01-04-2025 against the petitioners/Accused No. 5 and 7;

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri VENKATA DURGA RAO ANANTHA Advocate for the Petitioner, Public Prosecutor for R1, 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:

Pithani Lakshmi Thulasi, W/o Pithani Venkata Ramana, R/o Anaparthi Village and Mandal East Godavari District

are be and hereby directed to show cause either appearing in person or through an Advocate as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this CRIMINAL PETITION should not be admitted.

IA NO: 2 OF 2025

Petition under Section 528 of BNSS praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay all further proceedings including the arrest of the Petitioners/Accused No.5 and 7 in FIR No. 95 of 2025 of Anaparthi Police Station, East Godavari District, dated 01-04-2025, pending disposal of CRLP No. 12584 of 2025, on the file of the High Court.

The Court made the following:

ORDER:

Heard the learned counsel for the Petitioners.

Learned Assistant Public Prosecutor takes notice for the State.

Learned counsel for the Petitioner 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 (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 06.02.2026.

**Sd/-K.Srinivasa Raju,
ASSISTANT REGISTRAR**

//TRUE COPY//


SECTION OFFICER

To,

1. The State Station House Officer, Anaparthi P.S., East Godavari District
2. Pithani Lakshmi Thulasi, W/o Pithani Venkata Ramana, R/o Anaparthi Village and Mandal East Godavari District (by **RPAD**- along with a copy of petition and memorandum of grounds)
3. One CC to Sri. Venkata Durga Rao Anantha Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR, High Court of A.P [OUT]
5. One spare copy

HIGH COURT

DR.VJP,J

DATED:05/12/2025

List the matter 06.02.2026

NOTICE BEFORE ADMISSION

CRLP.No.12584 of 2025

DIRECTION

