



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

:PRESENT:

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA
CRIMINAL PETITION NO: 12545 OF 2025

Between:

1. Rajinder Singh Jari, S/o. Joginder Singh Jari, Aged 74 years, Business, H.No.80, Rangavi Estate, Behind Meti Shipping, Issorcim, A.P. Dabolim, South Goa, Goa
2. Piyush Jari, S/o. Rajinder Singh Jari, Aged 47 years. Business, H.No.80, Rangavi Estate, Behind Meti Shipping, Issorcim, A.P. Dabolim, South Goa, Goa
3. Ankush Jari, S/o. Rajinder Singh Jari, Aged 36 years. Business, H.No.80, Rangavi Estate, Behind Meti Shipping, Issorcim, A.P. Dabolim, South Goa, Goa
4. Priti Jari, W/o. Rajinder Singh Jari, Aged 73 years. Business, H.No.80, Rangavi Estate, Behind Meti Shipping, Issorcim, A.P. Dabolim, South Goa, Goa

...Petitioners/A-1 to A-4

AND

1. The State of Andhra Pradesh, Rep. by the Station House Officer, Bhimavaram I Town Police Station, West Godavari District, Rep. by the Public Prosecutor, High Court of Andhra Pradesh, Amaravathi
2. Lingam Nageswara Rao, S/o. Venkateswara Rao, Aged 49 years. Managing Director, Likhita Marine Foods and LNR Marine Foods, Juvvalapalem Road, Bhimavaram, West Godavari District - 534201

...Respondents/Complainant

WHEREAS the Petitioner/Accused above named through their Advocate Sri.VARREY VENKATA NAGA VISHNU TEJA 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 call for the records in and relating to Crime No.179/2025 of Bhimavaram I Town Police Station, West Godavari District and quash the same in so far as the Petitioners are concerned;

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri VARREY VENKATA NAGA VISHNU TEJA 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:

The Managing Director, Lingam Nageswara Rao, S/o. Venkateswara Rao, Likhita Marine Foods and LNR Marine Foods, Juvvalapalem Road, Bhimavaram, West Godavari District - 534201

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 on or before 05.02.2026 for which date the case stands posted for hearing.

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 arrest of the Petitioners in Crime No. 179/2025 of Bhimavaram I Town Police Station, West Godavari District, pending disposal of CRLP No.12545 of 2025, on the file of the High Court.

The Court made the following:

ORDER:

Heard the learned counsel for the Petitioners/accused Nos.1 to 4.

Learned Assistant Public Prosecutor takes notice for the State.

Learned counsel for the petitioners/accused Nos.1 to 4 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 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.

Considering the submissions, the presence of the petitioners/A1 to A4, before the Trial court is dispensed with unless their presence is specifically directed by the Trial Court.

Police are further directed to follow due process of law regarding the presence of the petitioners herein.

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 05.02.2026.

Sd/-K.Tata Rao,
DEPUTY REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Station House Officer, Bhimavaram I Town Police Station, West Godavari District.

2. The Managing Director, Lingam Nageswara Rao, S/o. Venkateswara Rao, Likhita Marine Foods and LNR Marine Foods, Juvvalapalem Road, Bhimavaram, West Godavari District - 534201 (by RPAD- along with a copy of petition and memorandum of grounds)
3. One CC to Sri. Varrey Venkata Naga Vishnu Teja Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR, High Court of A.P [OPUC]
5. One spare copy

HIGH COURT

DR.VJP,J

DATED:04/12/2025

List the matter 05.02.2026

NOTICE BEFORE ADMISSION

CRLP.No.12545 of 2025

DIRECTION

