APHC010386472026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3521]**
(Special Original Jurisdiction)

TUESDAY, THE 28th DAY OF JULY 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL REVISION CASE NO: 847/2026

Between:

1. ANNE RAM MOHAN, S/O. LATE LINGAIAH, AGED ABOUT 77 YEARS,R/O. D.NO. 4-116, UPPULURU VILLAGE, KANKIPADU MANDAL, KRISHNADISTRICT.
2. ANNE SIVA PRASAD ALIAS DEVI VARA PRASAD, S/O. RAM MOHANRAO, AGED ABOUT 49 YEARS, R/O. D.NO. 4-116, UPPULURU VILLAGE,KANKIPADU MANDAL, KRISHNA DISTRICT.

...PETITIONER(S)

AND

1. THE STATE OF ANDHRA PRADESH, S.H.O GANNAVARAM POLICE STATION REP BY PUBLICPROSECTUOR HIGH COURT OF ANDHRA PRADESH, AMARAVATI.
2. BODIREDDY SAI KRISHNA REDDY, S/O. APPA RAO REDDY, AGEDABOUT 66 YEARS, R/O. D.NO. 24-25-1, SF-3, BN RESIDENCY,DURGAPURAM, GANDHI NAGAR, VIJAYAWADA.

...RESPONDENT(S):

Counsel for the Petitioner(S):

1. K J DAYANAND KUMAR

Counsel for the Respondent(S):

1. PUBLIC PROSECUTOR

The Court made the following:

ORDER:

The Criminal Revision Case has been filed under Sections 438 & 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity, 'the BNSS') challenging the interlocutory order dated 20.05.2026 in Crl.M.P.No.918 of 2025 in C.C.No.607 of 2023 passed by the learned VIII Additional Judicial Magistrate of First Class, Gannavaram.

2. Heard the learned counsel for the Petitioners and the learned Assistant Public Prosecutor. Perused the record.

3. The order impugned is dated 20.05.2026 in Crl.M.P.No.918 of 2025 in C.C.No.607 of 2023 passed by the learned VIII Additional Judicial Magistrate of First Class, Gannavaram, whereby an application filed under Sections 242 of the Code of Criminal Procedure, 1973 (for brevity, 'the Cr.P.C') seeking to receive documents and mark them on behalf of the Prosecution was allowed subject to proof and relevancy. Aggrieved by that order, the Petitioners/Accused Nos.1 & 2 have preferred the Revision Case.

4. Indeed, a revision against interlocutory order is not maintainable as per Section 397(2) of 'the Cr.P.C.' The order impugned is undoubtedly an interim order, as it merely allowed an application filed for receiving certain documents on behalf of the Petitioner/Accused.

5. The Hon'ble Apex Court in **Sethuraman v. Rajamanickam**[1], **Bhaskar Industries Ltd. v. Bhiwani Denim & Apparels Ltd.**[2], **Girish Kumar Suneja v. CBI**[3], **Amar Nath v. State of Haryana**[4], the Hon'ble Apex Court held that receiving of documents, summoning of the witnesses are all interlocutory in nature and against which no revision case is maintainable.

6. In view of the law laid down by the Hon'ble Apex Court in **Sethuraman**, **Bhaskar Industries Ltd.**, **Girish Kumar Suneja**, **Amar Nath** *supra* the Criminal Revision case is not maintainable.

7. Hence, the Criminal Revision Case is disposed of. There shall be no order as to costs. Liberty is granted to the Petitioner to challenge the impugned order in appropriate proceedings, in accordance with law.

As a sequel, interlocutory applications, if any pending, shall stand closed.

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Dr. Y. LAKSHMANA RAO, J

Dt: 28.07.2026
PRA

[1](2009) 5 SCC 153
[2](2001) 7 SCC 401
[3](2017) 14 SCC 809
[4](1977) 4 SCC 137

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