APHC010385472026

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

TUESDAY, THE 17th DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL REVISION CASE NO: 850/2026

Between:

1. MADIREDDY KISHORE KUMAR, ,S/O VENKATESWARLU, AGED 28 YEARS,R/O 8TH LANE, BUTCHAIAH THOTA,GUNTUR

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, SUB INSPECTOR OF POLICE, KOTHAPET P.S., REP. BY PUBLIC PROSECUTOR, ANDHRA PRADESH, HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
2. VENKATA RAJASEKHAR REDDY SINGAREDDY, S/O VENKATA KRISHNA REDDY,FORMER INSPECTOR OF POLICE,KOTHAPET, GUNTUR

...RESPONDENT(S):

Counsel for the Petitioner:

1. VENKATA DURGA RAO ANANTHA

Counsel for the Respondent(S):

1. VENKATA SUBBAIAH POGULA
2. PUBLIC PROSECUTOR
3. LEGAL AID

The Court made the following:
ORDER:

The Criminal Revision Case has been filed under Sections 438 and 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity, 'the BNSS'), challenging the order dated 18.02.2026 passed in Crl.M.P.No.6 of 2023 in S.C.No.1009 of 2022, whereby and whereunder the application filed by the petitioner seeking discharge was dismissed.

2. The learned Counsel for the Petitioner submits that the quantity of ganja seized is only 15 grams and that there is no sufficient material to establish the involvement of the petitioner in the alleged offence. The role attributed to the petitioner is based solely on the confession of the co-accused, which is inadmissible in evidence in view of Section 25 of the Indian Evidence Act, 1872 (for brevity, 'the Act')/Section 23(1) of the Bharatiya Sakshya Adhiniyam, 2023 (for brevity, 'the B.S.A.').

3. *Per contra*, the learned Assistant Public Prosecutor submits that the statements of the witnesses recorded under Section 161 of 'the Cr.P.C.,' and the seizure reports disclose the involvement of the petitioner in the commission of the offence. The question whether the role of the petitioner came to light solely on the basis of the confession of the co-accused and the admissibility thereof under the relevant provisions of 'the Act.,' requires consideration during trial.

4. The learned Trial Court, upon considering the material available on record, found sufficient grounds to proceed against the petitioner for framing charges. Any alleged procedural irregularities or violations in the investigation

are matters to be considered during trial and, by themselves, do not warrant discharge of the petitioner. Hence, there are no merits in the Criminal Revision Case, and the same is liable to be dismissed.

19. In the result, the Criminal Revision Case is dismissed. There shall be no order as to costs.

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

DR. Y. LAKSHMANA RAO, J

Date: 17.11.2026
KMS

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL REVISION CASE No.850 of 2026

Date:17.11.2026

KMS