APHC010570822026

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

TUESDAY, THE 27th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL REVISION CASE NO: 1253/2026

Between:

1. MANDA MADHUSUDHANA REDDY, S/O KRISHNA REDDY, AGED ABOUT 38 YEARS, OCCUPATION AGRICULTURIST, RESIDENT OF KAZA VILLAGE,MOVVA MANDAL, KRISHNA DISTRICT, ANDHRA PRADESH.
2. JOGI SRIMANNARAYANA SIVA, S/O ANJANEYULU, AGED ABOUT 38 YEARS, OCCUPATION PRIVATE ELECTRICIAN, RESIDENT OF D.NO. 9/51, KAZA VILLAGE, MOVVA MANDAL, KRISHNA DISTRICT, ANDHRA PRADESH.

...PETITIONER(S)

AND

1. THE STATE OF ANDHRA PRADESH, REPRESENTED BY ITS PUBLIC PROSECUTOR,HIGH COURT OF ANDHRA PRADESH, AMARAVATI ON BEHALF OF THE STATION HOUSE OFFICER, KUCHIPUDI POLICE STATION, KRISHNA DISTRICT
2. THE CIRCLE INSPECTOR OF POLICE, THE CIRCLE INSPECTOR OF POLICE PAMARRU CIRCLE, KRISHNA DISTRICT
3. RAJULAPATI RAMALAKSHMI, W/O LATE BHIKSHALU, AGED ABOUT 40 YEARS,OCCUPATION HOUSEWIFE, RESIDENT OF KAZA VILLAGE, MOVVA MANDAL, KRISHNA DISTRICT, ANDHRA PRADESH

...RESPONDENT(S):

Counsel for the Petitioner(S):

1. Kagita Indu

Counsel for the Respondent(S):

1. PUBLIC PROSECUTOR

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 docket order dated 22.08.2026 passed by the learned Judicial First Class Magistrate, Movva, in P.R.C.No.02 of 2026.

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

3. Notice to Respondent No.3 is not required to be issued, inasmuch as the impugned order of taking cognizance by the learned Magistrate in the P.R.C. does not disclose even brief reasons.

4. The learned Judicial First Class Magistrate, Movva, passed the following order on 22.08.2026:

> *"On perusal of the record this Court taken cognizance for the offence of The SHO filed the Charge Sheet for the offence under Sections 103(1), 238, 115(1), 61(2) read with 3(5) of the BNS against the accused. Issue fresh summons to the Accused. Call on 15.09.2026."*

5. On a bare perusal of the impugned order, the learned Magistrate has not assigned any reasons, much less brief reasons, for taking cognizance.

This Court in **Uppu Venkata Narayana v. State of A.P.,**[1]in similar facts and circumstances, while referring the judgment of the Hon'ble Apex Court in **Sunil Bharti Mittal v. CBI**[2], observed that at least brief reasons have to be assigned by the learned Magistrate while taking cognizance. In the instant case, the impugned order does not disclose any reasons for taking cognizance.

6. In view of the above, the docket order dated 22.08.2026 passed by the learned Judicial First Class Magistrate, Movva, in P.R.C.No.02 of 2026 is hereby set aside. The learned Magistrate is directed to pass fresh orders in accordance with law, assigning reasons for taking cognizance.

7. Accordingly, the Criminal Revision Case is disposed of. There shall be no order as to costs.

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

Dr. Y. LAKSHMANA RAO, J

Dt: 27.10.2026
Note: Issue C.C. by today
B/o
PRA

[1]Crl.R.C.No.581 of 2023, dated 14.08.2025
[2](2015) 4 SCC 609

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Date:27.10.2026

PRA