

HIGH COURT OF ANDHRA PRADESH :: AMARAVATI

MAIN CASE: **W.P.NO.9166 of 2020**

PROCEEDING SHEET

SL. No.	DATE	ORDER	OFFICE NOTE
17.	06.10.2021	<p><u>JB,J & KVL,J</u> <u>(Proceedings taken up through video conferencing)</u></p> <p>Perused the Fourth Status Report filed on behalf of Central Bureau of Investigation.</p> <p>On perusal of the report, we note investigation has been done into the matter and some accused persons were arrested. Charge sheet has also been filed against Shri Dhanireddy Kondareddy (A-1) under Sections 505(2), 506 IPC, Shri Sudheer Pamula (A-3) under Sections 505(2), 506 IPC, Shri Aadarsh Pattapu (A-4) under Sections 153A, 505(2) and 506 IPC and Shri Lavanuru Samba Siva Reddy (A-6) under Sections 153A, 505(2) and 506 IPC on 13.09.2021 before the Hon'ble IV Additional Junior Civil Judge, Guntur.</p> <p>Prayer has been made for grant of sanction from the Central Government under Section 196 Cr.P.C. against Shri Dhanireddy Kondareddy (A-1), Shri Sudheer Pamula (A-3), Shri Aadarsh Pattapu (A-4), Shri Lavanuru Samba Siva Reddy (A-6) as they are to be prosecuted under Sections 153A, 505(2) of IPC, after taking legal opinion from the Learned Attorney General for India in this regard and that CBI, Visakhapatnam filed charge sheet against Shri Lingareddy Rajasekhar Reddy on 01.09.2021 under Section 228 IPC and under Section 67 of IT Act, 2000, before the Hon'ble IV Additional Junior Civil Judge, Guntur.</p> <p>However, it is noted that Shri Mani Annapureddy(A-2), who is in abroad is yet to be questioned. A-5, A-11 and A-14 (named in the FIR) have also not been traced out yet. Although</p>	

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		<p>requests were sent to M/s Facebook Inc., USA, M/s Twitter Inc., USA and M/s Google LLC, USA through diplomatic channels under Mutual Legal Assistance Treaty (MLAT), data/evidence is still awaited.</p> <p>Analysis of the report shows that the offenders operated both inside and beyond the territory of India. Some of the offenders are abroad and CBI has failed to interrogate them. Incriminating evidence from foreign companies/jurisdictions are still awaited. Steps taken by CBI in this regard do not appear to be sufficient.</p> <p>Mr.N.Ashwani Kumar, learned counsel for High Court administration, seeks leave to file application suggesting steps that may be taken for investigation of the extra territorial aspects of the crime. Leave is granted.</p> <p>Mr.N.Harinath, learned Assistant Solicitor General, also seeks time to place on record particulars of personnel of the foreign companies, who are under law accountable to respond to the notices of investigating agencies investigating crime.</p> <p>CBI is directed to take prompt and effective steps with regard to interrogation of the accused persons, who are beyond the territory of India and for collection of evidence beyond the territory of India.</p> <p>In addition to the aforesaid, this Bench notes similar offences i.e., objectionable materials containing intimidatory threats, derogatory and scurrilous remarks against judges and judicial personnel continue to be circulated in the social media with impunity. It is the duty of the investigating agency not only to investigate crime, but also to prevent commission of similar offences in future.</p>	

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		<p>CBI is directed to submit report with regard to steps has or proposed to take to prevent circulation of such intimidatory threats, scurrilous and defamatory remarks which affect the administration of justice and immediate punitive measures with regard thereto.</p> <p>Report in that regard be filed by 28.10.2021.</p> <p style="text-align: right;">_____ Joymalya Bagchi,J</p> <p style="text-align: right;">_____ K.Vijaya Lakshmi,J MP</p>	

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