APHC010251162023

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3604]**
(Special Original Jurisdiction)

FRIDAY, THE 16th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SMT JUSTICE SUNITHA GANDHAM

CRIMINAL PETITION NO: 3569/2023

Between:

1. SHAIK ABDUL FAZULULLA, S/O SHAIK MOHAMED HUSSAIN (LATE), DY. COMMISSIONER OF INCOME TAX, CIRCLE 2 (1), TIRUPATI, (UNDER SUSPENSION) FLAT NO. 401, BLOCK NO.7, GREEN PARK APARTMENTS, D.R.MAHAL ROAD, TIRUPATI.

...PETITIONER/ACCUSED

AND

1. THE REGISTRARADMINISTRATION, HON'BLE HIGH COURT FOR STATE OF A.P. AMARAVATI, A.P.
2. THE STATE OF AP, REP. BY ITS PRINCIPAL SECRETARY TO GOVERNMENT, HOME (SC A) DEPARTMENT, GOVERNMENT OF ANDHRA PRADESH, AMARAVATI, A.P.
3. THE ADMINISTRATION OFFICER, COURT OF SPECIAL JUDGE FOR CBI CASES, KURNOOL.
4. THE STATE, CENTRAL BUREAU OF INVESTIGATION, REP. BY THE SPECIAL PUBLIC PROSECUTOR, CBI, HON'BLE HIGH COURT OF A.P. AMARAVATI.
5. THE SECRETARY, MINISTRY OF PERSONNEL, P G AND PENSIONS, DEPARTMENT OF PERSONNEL AND TRAINING, NORTH BLOCK, NEW DELHI - 110 001.

...RESPONDENT/COMPLAINANT(S):

Petition under Section 437/438/439/482 of Cr.P.C and 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Courtbe pleased to Quash the proceedings against

CC 9.2015 Petitioner in C.C.No. 1 of 2022 before the Hon'ble Special Judges Court for CBI Cases, Kurnool and pass

IA NO: 1 OF 2023

Petition under Section 482 of Cr.P.C and 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition,the High Court may be pleased pleased to dispense with filing the certified copy C.C.No. 9 of 2015 on the file the Hon'ble Special Judges Court for CBI Cases, Kurnool and pass such

IA NO: 2 OF 2023

Petition under Section 482 of Cr.P.C and 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition,the High Court may be pleased to stay all further proceedings including the appearance of Petitioner in C.C.No. 9 of 2015 before the Hon'ble Special Judges Court for CBI Cases, Kurnool and pass such

Counsel for the Petitioner/accused:

1. VENKAT CHALLA

Counsel for the Respondent/complainant(S):

1. P S P SURESH KUMAR, Spl. Public Prosecutor for CBI
2. G VIVEKANAND

The Court made the following:

THE HON'BLE SMT. JUSTICE SUNITHA GANDHAM

CRIMINAL PETITION No: 3569 OF 2023

ORDER:

This Criminal Petition is filed by the petitioner/accused No.1 to quash the proceedings against him in C.C.No.9 of 2015 on the file of the learned Principal Special Judge for CBI Cases, Kurnool, for the offences punishable under Sections 120B of the Indian Penal Code r/w Section 7, 12 & 13 (2) r/w 13(1)(d) of the Prevention of Corruption Act, 1988.

2. Heard Sri Challa Venkat, learned counsel for the petitioner and Sri P.S.P. Suresh Kumar, learned Special Public Prosecutor for CBI.

3. Sri P.S.P. Suresh Kumar, learned Special Public Prosecutor for CBI, submitted that in view of judgments of the Hon'ble Apex Court in ***State rep. by Central Bureau of Investigation v. A. Sathish Kumar*** [1] and ***Fertico Marketing and Investment Private Limited and Others v. Central Bureau of Investigation and Another*** [2], CBI has jurisdiction to register F.I.R and conduct investigation and as such, this petition is liable to be dismissed.

4. Learned counsel for the petitioner also fairly submitted that in view of the aforementioned judgments, this petition may be closed.

5. Recorded the said submissions.

6. ***In the result***, this Criminal Petition is dismissed in view of the aforementioned judgments.

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

SUNITHA GANDHAM, J

Dt:16.10.2026

Vns

[1] 2025 INSC 11
[2] (2021) 2 SCC 525