APHC010314182026

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

FRIDAY, THE 7th DAY OF AUGUST 2026

PRESENT

THE HONOURABLE SRI JUSTICE MAHESWARA RAO KUNCHEAM

CRIMINAL PETITION NO: 5031 OF 2026

Between:

1. Padala Veereddy, S/o Satyanarayana Reddy,Aged about 65 years. Business,R/o D.No.1-55, Ravulapalem Village and Mandal,Dr.B.R.Ambedkar Konaseema District.
2. Karri Syamsundhar Reddy Alias Sundar Reddy, S/o Tata Reddy,Aged about 61 years. Business,R/o D.No.2-269/6, Ravulapalem Village and Mandal,Dr.B.R.Ambedkar Konaseema District.
3. Gudimetia Aditya Reddy, S/o Late Venkata Satyanarayana ReddyAged about 32 years. Business,R/o D.No.2-263, Ravulapalem Village and Mandal,Dr.B.R.Ambedkar Konaseema District.
4. Sathi Ramakrsihan Reddy, S/o Rami Reddy,Aged about 75 years. Business,R/o D.No.2-64, Ravulapalem Village and MandalDr.B.R.Ambedkar Konaseema District.
5. Gudimetia Venkata Krishna Reddy, S/o Late Venkata Satyanarayana Reddy,Aged about 43 years. Business,R/o D.No.3-93, Ravulapalem Village and MandalDr.B.R.Ambedkar Konaseema District.

...Petitioners

AND

1. The State of Andhra Pradesh, Rep. by its Public Prosecutor,High Court of A.P. Amaravathi.

2. Chilukuri Nagu, S/o Ch Suryachandar RaoR/o Kadiyapulanka Village and Mandal,East Godavari District.

...Respondents

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 CourtPleased to call for the records relating to Crime No.77 of 2026, on the file of the Alamuru Police Station, Dr.B.R.Ambedkar Konaseema District and quash the same and to pass

IA NO: 1 OF 2026

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 the filing of the certified copies of F.I.R in Crime No.77 of 2026, on the file of the Alamuru Police Station, Dr.B.R.Ambedkar Konaseema District and pass

IA NO: 2 OF 2026

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 stay of all further proceedings including arrest of the Petitioners/Accused No.9, 10, 11, 12 & 13, on bail in the event of petitioner arrest in connection with Crime No.77 of 2026, on the file of the Alamuru Police Station, Dr.B.R.Ambedkar Konaseema District, pending disposal of the above Criminal Petition and pass

Counsel for the Petitioners: T V JAGGI REDDY
Counsel for the Respondents: PUBLIC PROSECUTOR

THE HONOURABLE SRI JUSTICE MAHESWARA RAO KUNCHEAM

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The Court made the following Order:

Instant Criminal Petition, under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, has been filed on behalf of the petitioners herein (A9 to A13), seeking to quash the proceedings in FIR in Crime No.77 of 2026 of Alamuru Police Station, Dr.B.R.Ambedkar Konaseema District, for the offence punishable under Sections 329(4), 324(5), 118(1), 115(2), 351(2) read with 190 of the Bharatiya Nyaya Sanhita, 2023.

2. Learned counsel for the petitioners submits that he has taken notice on respondent No.2 and filed a memo of proof of service to that effect.

3. Despite service of notice, none represented respondent No.2.

4. Learned counsel for the petitioners, after arguing for some time, has confined his argument to the extent of protecting the petitioners herein from the police on the ground that the offences alleged are punishable with imprisonment of less than seven (07) years and prays this Court to direct the police to follow the

procedure as contemplated under Section 35(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. On the other hand, learned Assistant Public Prosecutor did not oppose the same and concurred with the submission made by the learned counsel for the petitioners for the reason that the offences alleged are punishable with imprisonment of less than seven years.

6. Heard. Perused the entire available material on record.

7. Since the offences alleged in FIR in Crime No.77 of 2026 of Alamuru Police Station, Dr.B.R.Ambedkar Konaseema District are punishable with imprisonment of less than seven years and in view of the no objection expressed by the Assistant Public Prosecutor, this Court directs the respondent/police to follow the procedure as contemplated under Section 35(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 corresponding to Section 41A Cr.P.C., scrupulously as per the guidelines enunciated in ***Arnesh Kumar vs. State of Bihar and another***[1]**,** which was reiterated in the judgment of the Hon'ble Apex Court in ***Satendar Kumar Antil vs. Central Bureau of Investigation and Another***[2] in FIR in

[1] (2014) 8 SCC 273
[2] 2026 SCC OnLine SC 162

Crime No.77 of 2026 of Alamuru Police Station, Dr.B.R.Ambedkar Konaseema District.

8. If it is noticed in the course of investigation that the petitioners have committed any offence which is punishable with imprisonment beyond seven years, the investigating officer is at liberty to proceed in accordance with law.

9. Accordingly, this Criminal Petition is disposed of.

Interlocutory applications, if any, pending shall stand closed.

JUSTICE MAHESWARA RAO KUNCHEAM

Date: 07.08.2026
PSA

THE HONOURABLE SRI JUSTICE MAHESWARA RAO KUNCHEAM

CRIMINAL PETITION NO: 5031 of 2026

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PSA