APHC010382752026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3504]
(Special Original Jurisdiction)

MONDAY, THE 27th DAY OF JULY 2026

PRESENT

THE HONOURABLE SRI JUSTICE MAHESWARA RAO KUNCHEAM

CRIMINAL PETITION NO: 6238/2026

Between:

1. BHAROTHU RAJAGOPALA RAO, S/O. TIRUPATI, AGED ABOUT 32 YEARS, R/0.7-182/A, RAMALAYAM STREET, PARIMUDI VILLAGE, KOYYALAGUDEM MANDAL, WEST GODAVARI DISTRICT.
2. BHAROTHU TIRUPATI, S/O. MANCHA,AGED ABOUT 66 YEARS, R/0.7-182/A, RAMALAYAM STREET,PARIMUDI VILLAGE, KOYYALAGUDEM MANDAL, WEST GODAVARIDISTRICT.
3. BHAROTHU BALAJI, S/O. TIRUPATI,AGED ABOUT 36 YEARS, R/O.7-182/A, RAMALAYAM STREET,PARIMUDI VILLAGE, KOYYALAGUDEM MANDAL, WEST GODAVARIDISTRICT.
4. BANAVATHU SONI, W/O. JAYARAJU,AGED ABOUT 40 YEARS, R/O.9-20/1A KONDURU THANDA VILLAGE,A KONDURU MANDAL, NTR DISTRICT.

...PETITIONER/ACCUSED(S)

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PUBLIC PROSECUTOR, HIGH COURT OF ANDHRA PRADESH, AMARAVATI.
2. NANDINI BHAROTHU, W/O. RAJAGOPALA RAO,AGED ABOUT 21 YEARS, R/O. NAGULURU THANDA,REDDIGUDEM MANDAL,

...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 Courtpleased to quash the entire proceedings in CC No. 114 of 2026 on the file of the court of Learned Judicial Magistrate of First Class, Mylavaram dated 19-04-2026 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 Copy of in CC No. 114 of 2026 on the file of the court of Learned Judicial Magistrate of First Class, Mylavaram 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 grant stay of all further proceedings including arrest of the Petitioners in CC No. 114 of 2026 on the file of the court of Learned Judicial Magistrate of First Class, Mylavaram dt 19-04-2026 pending disposal of the main Criminal Petition, and pass

Counsel for the Petitioner/accused(S):

1. PATHURI SRINIVAS

Counsel for the Respondent/complainant(S):

1. PUBLIC PROSECUTOR

THE HONOURABLE SRI JUSTICE MAHESWARA RAO KUNCHEAM

CRIMINAL PETITION NO: 6238 of 2026

The Court made the following Order:

Instant Criminal Petition, under Section 528 of the Bharatiya Nagarik Suraksha Sanhitha, 2023, has been filed on behalf of the petitioners herein (A1 to A4), seeking to quash the charge sheet in C.C.No.114 of 2026 on the file of Judicial First Class Magistrate, Mylavaram, wherein they were charged with the offences punishable under Sections 85 BNS and Sections 3 and 4 of Dowry Prohibition Act, 1961.

2. Heard learned counsel for the petitioners and learned Assistant Public Prosecutor appearing on behalf of respondent No.1-State.

3. Learned counsel for the petitioners, after arguing for some time, has confined his argument to the extent of dispensing with the presence of the petitioners herein before the trial Court.

4. On the other hand, learned Assistant Public Prosecutor contended that specific accusations have been made as against the petitioners herein and truth or otherwise of the said accusations has to be decided during the course of trial, hence, there are no grounds to quash the proceedings at this stage.

5. Since there are specific accusations that have been made as against the petitioners herein, which are all disputed questions of fact,

the same can be decided during the course of trial, and this Court, in a petition filed under Section 528 of BNSS, 2023 corresponding to Section 482 Cr.P.C., would not be in a position to conduct roving enquiry into the disputed questions of fact and quash the proceedings at this stage.

6. However, considering the facts and circumstances of the case, this Court is not inclined to quash the proceedings against the petitioners herein. However, the presence of petitioners herein (A1 to A4) before the Judicial First Class Magistrate, Mylavaram, in C.C.No.114 of 2026 is dispensed with, except on those dates when the learned Judge feels that their presence is necessary.

7. Accordingly, the Criminal Petition is disposed of.

8. Needless to state that the petitioners are at liberty to raise all the grounds before the trial Court.

As a sequel, Interlocutory Applications pending, if any, shall stand closed.

MAHESWARA RAO KUNCHEAM, J

Dated: 27.07.2026
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THE HONOURABLE SRI JUSTICE MAHESWARA RAO KUNCHEAM

75

CRIMINAL PETITION NO: 6238/2026

Dt: 27.07.2026

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