APHC010422682026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI

FRIDAY, THE 13th DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE MAHESWARA RAO KUNCHEAM

CRIMINAL PETITION NO: 6950 OF 2026

Between:

1. Angidi Srinivasa Rao, S/o Gopala Rao, Aged about 52 Years,R/o Putrala Village, Vissannapeta Mandal, N.T.R. District, Andhra Pradesh. 521227
2. Angidi Ramulamma, W/o Srinivasa Rao, Aged about 47 Years,R/o Putrala Village, Vissannapeta Mandal, N.T.R. District Andhra Pradesh. 521227
3. Rama Varalakshmi, W/o Venkata Krishna rao, aged about 32 years,R/o Near Gokavaram Bus stand, Rajamahendraveram East Godavari Dist, Andhra Pradesh 533104
4. Venkata Krishna Rao, S/o Late Lakshmayya, aged about 35 years R/o Near Gokavaram Bus stand, Rajamahendravaram, East Godavari Dist, Andhra Pradesh 533104
5. Angidi Venkateswara Rao, S/o Srinivasa Rao, aged about 24 years, Putrala Village, Vissannapeta Mandal, N.T.R Dist, Andhra Pradesh 521227

...PETITIONER/ACCUSEDs

AND

1. The State of Andhra Pradesh, Represented by its Public Prosecutor, High Court of A.P., Amaravati.
2. Angidi Rama Lakshmi, Respondent W/o Venkata Krishna rao, Aged about 32 years, R/o Putrala Village, Vissannapeta Mandal, N.T.R. District,

Andhra Pradesh. 521227 Narayana Puram Village, Unguturu Mandal, East Godavari Dist. Andhra Pradesh 534406.

...RESPONDENT/COMPLAINANTs

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 Court quash the proceedings in CC.No.1021 / 2023 On the File of Hon'ble 1st A.J.C.J cum 1st Additional Judicial First-Class Magistrate Court, Tadepalligudem, West Godavari Dist. For the alleged offences under sections 324, 498 (A) IPC and sections 3 and 4 of the Dowry Prohibition Act

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 dispense with the filing of the certified copies of the F.I.R, complaint, Chargesheet and 161 statements, in CC.No.1021 / 2023 On the File of Hon'ble 1st A.J.C.J cum 1st Additional Judicial First-Class Magistrate Court, Tadepalligudem, West Godavari Dist.

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 grant stay of all further proceedings including appearance of the Petitioner's 1 to 5 / Accused No.2 to 6 in CC.No.1021 / 2023 On the File of Hon'ble A.J.C.J cum 1st Additional Judicial First-Class Magistrate Court, Tadepalligudem, West Godavari Dist. For the alleged offences under sections 324, 498 (A) IPC and sections 3&4 of the Dowry Prohibition Act

Counsel for the Petitioner/Accused: AMARAVATI LAW CHAMBERS, Pujari Triveni Reddy

Counsel for the Respondent/complainants: PUBLIC PROSECUTOR

THE HONOURABLE SRI JUSTICE MAHESWARA RAO KUNCHEAM

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ORDER:-

Instant Criminal Petition, under Section 528 of the Bharatiya Nagarik Suraksha Sanhitha, 2023, has been filed on behalf of the petitioners herein (A2 to A6), seeking to quash the proceedings in C.C No.1021 of 2023 on the file of the I Additional Civil Judge-cum-I Additional Judicial First-Class Magistrate, West Godavari District.

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

3. Learned counsel for the petitioners submits that petitioner Nos.1 and 2 (A2 & A3), who are parents of A1, are residents of NTR District and petitioner Nos.3 to 5 (A4 to A6), who are distant relatives of A1, are residents of East Godavari District, and as such, it is difficult for them to attend the Court. Learned counsel, 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 by submitting the petitioners' practical constraints in attending before the trial Court and states that the petitioners shall not dispute their identity at a later stage of proceedings.

4. On the other hand, learned Assistant Public Prosecutor contended that specific accusations have been made as against the petitioners

herein and the 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. So far as dispensing with the presence of the petitioners, before the trial Court, he has not opposed the same.

5. Since there are specific accusations that have been made 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. In this context, it is apt to note the dictum held in ***State of Uttar Pradesh and Another Vs. Akhil Sharda and Others***[1], by the Apex Court in its vivid terms in the following way:

> *"Having gone through the impugned judgment and order passed by the High Court by which the High Court has set aside the criminal proceedings in exercise of powers under Section 482 Cr.P.C., it appears that the High Court has virtually conducted a mini trial, which as such is not permissible at this stage and while deciding the application under Section 482 Cr.P.C. As observed and held by this Court in a catena of decisions no mini trial can be conducted by the High Court in exercise of powers under Section 482 Cr.P.C., jurisdiction and at the stage of deciding the application under*

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Section 482 Cr.P.C., the High Court cannot get into appreciation of evidence of the particular case being considered."

7. Considering the facts and circumstances of the case, this Court is not inclined to quash the proceedings against the petitioners herein. However, due to ground realities submitted by the counsel for the petitioners and as petitioner Nos.1 and 2 (A2 & A3), are residents of NTR District and petitioner Nos.3 to 5 (A4 to A6), are residents of East Godavari District, presence of the petitioners herein (A2 to A6) before I Additional Civil Judge-cum-I Additional Judicial First Class Magistrate, West Godavari District, in C.C No.1021 of 2023 is hereby dispensed with, except on those dates when the learned trial Court feels that their presence is necessary. In the event of failure of the petitioners to appear, when the trial Court specifically directs, this Order shall stand automatically revoked, without recourse to this Court.

8. Accordingly, the Criminal Petition is disposed of.

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

Pending interlocutory applications, if any, shall stand closed.

JUSTICE MAHESWARA RAO KUNCHEAM

Date: 13.11.2026
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