APHC010547592026

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

**[3504]**

TUESDAY, THE 27th DAY OF OCTOBER 2026

**PRESENT**

**THE HONOURABLE SRI JUSTICE MAHESWARA RAO KUNCHEAM**

**CRIMINAL PETITION NO: 9164/2026**

**Between:**

1. PEDDIREDDY GOVINDA REDDY, S/O KONDA REDDY, AGED ABOUT 56YEARS, R/O PATTABIPURAM, GUNTUR.
2. PEDDAREDDY MANGAMMA, W/O GOVINDA REDDY, AGED ABOUT 52 YEARS, R/O PATTABIPURAM,GUNTUR.
3. PEDDIREDDY DEEPIKA, D/O GOVINDA REDDY, AGED ABOUT 29 YEARS, R/O PATTABIPURAM, GUNTUR.
4. KALLI ANJI REDDY, S/O KOTI REDDY, AGED ABOUT 42 YEARS, R/O PATTABIPURAM, GUNTUR.

**...PETITIONER/ACCUSED(S)**

**AND**

1. THE STATE OF ANDHRA PRADESH, REP. BY PUBLIC PROSECUTOR, HIGH COURT OF ANDHRA PRADESH,AMARAVATI.
2. RODDA CHANDRASEKHAR REDDY, S/O VENKATESWARA REDDY,JOINT SUB-REGISTRAR, AMMANABROLU, PRAKASAM DISTRICT.

**...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 proceedings Dated 09-04-2025 in FIR No. 55/2025 of Naguluppalapadu (N.G.) Police Station, Prakasam District against the Petitioners / Accused A-2 to A-5 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 CERTIFIED COPY Dated 09-04-2025 in FIR NO 55 OF 2025 PENDING BEFORE Naguluppalapadu (N.G.) P. S PRAKASAM DISTRICT against the Petitioners/Accused No.2 to 5and to 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 in Dated 09-04-2025 in FIR No. 55/2025 of Naguluppalapadu (N.G.) Police Station, Prakasam District against the Petitioners / Accused A-2 to A-5 during the pendency of the Criminal Petition before this Hon'ble Court and to pass

**Counsel for the Petitioner/accused(S):**

1. NAINA SHAIK

**Counsel for the Respondent/complainant(S):**

1. PUBLIC PROSECUTOR

**THE HONOURABLE SRI JUSTICE MAHESWARA RAO KUNCHEAM**

**CRIMINAL PETITION NO:9164 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 (A2 to A5), seeking to quash the proceedings in FIR in Crime No.55 of 2025 of N.G.Padu Police Station, Prakasam District for the offences punishable under Sections 423 r/w 34 of the Indian Penal Code, 1860.

2. Mr.K.Bujji Babu, learned counsel representing Mr.Naina Shaik, learned counsel for the petitioners submits that pursuant to the Order dated 13.10.2026, 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. 55 of 2025 of N.G.Padu Police Station, Prakasam 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 Crime

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

No. 55 of 2025 of N.G.Padu Police Station, Prakasam District, insofar as the petitioners herein (A2 to A5) concerned.

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: 27.10.2026
vnb

**THE HONOURABLE SRI JUSTICE MAHESWARA RAO KUNCHEAM**

**CRIMINAL PETITION NO: 9164 of 2026**

Date: 27.10.2026

vnb