APHC010586632024

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

MONDAY, THE 5th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE MAHESWARA RAO KUNCHEAM

CRIMINAL PETITION NO: 9508 OF 2024

Between:

1. KASA PRABHAKAR, S/o Kasa Krishna, aged about 34 years, R/o 10-3, Indira Colony, Kalidhindi, Eluru District, Andhra Pradesh, Pin-521344.

2. Kasa Satish,, S/o Kasa Krishna, aged about 34 years, R/o 10-22, Indira Colony, Kalidhindi, Eluru District, Andhra Pradesh, Pin-521344

...Petitioners

AND

1. THE STATE OF ANDHRA PRADESH, Rep. by its Public Prosecutor, High Court of Andhra Pradesh,at Amaravathi. Through Station House Officer, Kalidhindi Police Station.

2. Leila Subbarao, S/o Leila Ramaswami, Age 35 years, Harijanawada, Venkatapuram Village, Kalidhindi, Eluru District, Andhra Pradesh, Pin-521344

...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 quash the FIR No. 230/2024 at Kalidindi Police Station for offences U/s 115(2),351(2)r/w 3(5) BNS, and Sections 3(1)(r), 3(1)(s), 3(2)(va),SC ST POA ACT against the petitioners/ Accused No.1&2 and pass

IA NO: 1 OF 2024

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 of the certified copy of the FIR No. 230/2024 at Kalidindi Police Station for offences U/s 115(2),351(2)r/w 3(5) BNS, and Sections 3(1)(r), 3(1)(s), 3(2)(va),SC ST POA ACT against the petitioners/ Accused No.1 & 2 and pass

IA NO: 2 OF 2024

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 all further proceedings in the FIR No. 230/2024 at Kalidindi Police Station for offences U/s 115(2),351(2)r/w 3(5) BNS, and Sections 3(1)(r), 3(1)(s), 3(2)(va),SC ST POA ACT against the petitioners/ Accused No.1&2, pending disposal of the above Criminal Petition and pass

Counsel for the Petitioners: K V ADITYA CHOWDARY

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 (A1 & A2), seeking to quash the proceedings in FIR in Crime No.230 of 2024 of Kalidindi Police Station, Eluru District, for the offences punishable under Sections 115(2), 351(2) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Sections 3(1)(r), 3(1)(s), 3(2)(va) of The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. At the stage of admission, this Court has not granted interim stay in respect of investigation of the criminal case.

3. Learned Assistant Public Prosecutor appearing on behalf of respondent-State, basing on the written instructions, submits that the police have filed a charge sheet in FIR in Crime No.230 of 2024 of Kalidindi Police Station, before the jurisdictional Magistrate.

4. At that juncture, learned counsel for petitioners seeks permission of this Court to withdraw the present Criminal Petition

with a liberty to challenge the charge sheet, in accordance with the law, if so advised.

5. Accordingly, the Criminal Petition is dismissed as withdrawn, by granting liberty to pursue legal remedies, in accordance with the law.

Interlocutory applications, if any, pending shall stand closed.

JUSTICE MAHESWARA RAO KUNCHEAM

Date: 05.10.2026
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THE HONOURABLE SRI JUSTICE MAHESWARA RAO KUNCHEAM

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Date: 05.10.2026

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