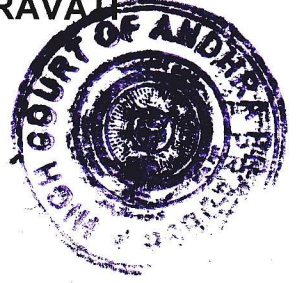


IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

MONDAY THE SEVENTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE



PRESENT

HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL PETITION NO: 2633 OF 2025

Between:

Dodda Rakesh Gandhi, S/o. Mohan Gandhi, Aged about 28 years, Occ
Pvt. Employee, R/o.I 1-104, Ambedkar Colony, Thoorpu Malapalli,
Chilakaluripet Town and Mandal and present residing at Flat No. 101, Sai
Grand, 2ND Lane, Syamala Nagar, Guntur Town and District.

...PETITIONER/ACCUSED

AND

The State Of Andhra Pradesh, rep., by its Public Prosecutor, High Court of
Judicature at Amaravathi., Rep by Chirala I Police Station, Bapatla District.

...RESPONDENT/COMPLAINANTS

Petition under Section 482 of BNSS is filed praying that in the
circumstances stated in the Memorandum of Grounds of Criminal Petition,
the High Court may be pleased to enlarge die petitioners on Anticipatory
Bail in Cr.No.332 of 2024 on the file of the Chirala I Town Police Station,
Bapatla District, for the offences punishable under Sections 196(1), 352,
353(2 of BNS, 2023 along with Section 67 of the IT Act, in the event of his
arrest

I.A. NO: 1 OF 2025

Petition under Section 482 of BNSS is filed praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to grant interim bail in Cr.No.332 of 2024 on the file of the Chirala I Town Police Station, Bapatla District, for the offences punishable under Sections 196(1), 352, 353(2), M(2) of BNS, 2023 along with Section 67 of the IT Act, to the petitioner, pending disposal of the above bail application in the above criminal petition

This Petition coming on for hearing upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Papudippu Sashidar Reddy Advocate for the Petitioner and the Public Prosecutor (AP) on behalf of the Respondent

The Court made the following ORDER :



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

[3396]

MONDAY, THE SEVENTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE
PRESENT

THE HONOURABLE SMT DR JUSTICE VENKATA JYOTHIRMAI PRATAPA
CRIMINAL PETITION NO: 2633/2025

Between:

Dodda Rakesh Gandhi

...PETITIONER/ACCUSED

AND

The State Of Andhra Pradesh

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused;

1. PAPUDIPPU SASHIDAR REDDY

Counsel for the Respondent/complainant:

1. PUBLIC PROSECUTOR

The Court made the following Order:

This Criminal Petition under Section 482 of B.N.S.S., is filed by the petitioner herein seeking to grant anticipatory bail in Crime No.332 of 2024 of Chirala I Town Police Station, Bapatla District, registered for the offences punishable under Sections 352, 353(2) and 196(1) of the BNS and Section 67 of the ITA-2000-2008.

2. Learned counsel for the petitioner, after arguing for some time, has confined his argument to the extent of protecting the petitioner herein from the coercive action by the police on the ground that the offences alleged are punishable with imprisonment of less than seven 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.

3. 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 petitioner for the reason that the offences alleged are punishable with imprisonment of less than seven years.

4. Heard. Perused the material on record.
5. Since the offences alleged are punishable with imprisonment of less than seven years, this Court directs the police to follow the procedure as contemplated under Section 35(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023, scrupulously, as per the guidelines enunciated in ***Arnesh Kumar Vs. State of Bihar and another***¹.
6. With the above directions, the Criminal Petition is disposed of.

Miscellaneous applications pending, if any, shall stand closed.

¹ (2014) 8 SCC 273

SD/- B.CHITTI JOSEPH
ASSISTANT REGISTRAR

//TRUE COPY//

AB
SECTION OFFICER

To,

1. The Addl. Civil Judge (Junior Division) Chilakalauripet Bapatla District,
2. The Station House Officer Chirala I Town Police Station, Bapatla District,
3. One CC to Sri. Papudippu Sashidar Reddy Advocate [OPUC]
4. Two CCs to the Public Prosecutor, High Court of AP at Amaravathi [OUT]
5. THREE CD COPIES

Mkp

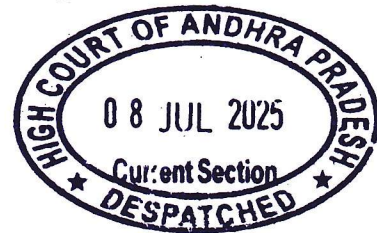
TAC

HIGH COURT

DATED :17/03/2025

ORDER

CRLP.No.2633 of 2025



DISPOSING OF THE CRLP