



**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: 2637/2025**

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.137 of 2024 of Narsaraopet II Town Police Station, Palnadu District, registered for the offences punishable under Sections 61(2), 196(1) and 353(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.

Dr.VENKATA JYOTHIRMAI PRATAPA,J

Date:17-03-2025
ASR

¹ (2014) 8 SCC 273

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PRATAPA**

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ASR