

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

THURSDAY, THE TWENTIETH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE



PRESENT

THE HON'BLE SRI JUSTICE HARINATH.N

CRIMINAL PETITION NO: 2962 OF 2025

Between:

1. K. Kishore Kumar, S/o. Subbarao, age 32 years, (A-1) R/o. Kavur, Chilakaluripet Mandal, Palnadu District.
2. K.Lakshmi, W/o. Subbarao, age 55 years, (A-2) R/o. Kavur, Chilakaluripet Mandal, Palnadu District.
3. B.Vidhyadhararao, S/o. Subbarao, age 58 years, (A-3) R/o. 7-70, Appapuram, Irlapadu Nadendla Mandal, Palnadu District.
4. K.Sivaprasad, S/o. Subbarao, age 43 years, (A-4) R/o. Kavur, Chilakaluripet Mandal, Palnadu District.

...PETITIONERS

AND

1. The State of Andhra Pradesh, SHO, Chilakaluripet Rural Police Station, Palnadu District, Rep. by its Public Prosecutor, High Court of A.P., Amaravati.
2. K. Lakshmi Sravanthi, W/o. K.Kishore Kumar, age 29 years, R/o. Kavur, Chilakaluripet Mandal, Palnadu District.

...RESPONDENTS

Petition under Section 528 of BNS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to call for the records in F.I.R. No. 170/2024 on the file of Chilakaluripet Rural Police Station, Palnadu District registered under Sections 115(2), 118(1) r/w. 3(5) of BNS and quash the same as the same is illegal, contrary to law and violation of guidelines issued by the Hon'ble Apex Court.

I.A. NO: 2 OF 2025

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to grant stay of all further proceedings in F.I.R. No. 170/2024 on the file of Chilakaluripet Rural Police Station, Palnadu District including arrest of the petitioner pending disposal of the criminal petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Thota Ramakoteswara Rao, Advocate for the Petitioner and the Public Prosecutor on behalf of the Respondent No.1 and None Appeared for the Respondent No.2.

The Court made the following ORDER :



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

[3457]

**THURSDAY, THE TWENTIETH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SRI JUSTICE HARINATH.N

CRIMINAL PETITION NO: 2962/2025

Between:

K Kishore Kumar and Others

...PETITIONER/ACCUSED(S)

AND

**The State Of Andhra Pradesh
and Others**

...RESPONDENT/COMPLAINANT(S)

Counsel for the Petitioner/accused(S):

1.THOTA RAMAKOTESWARA RAO

Counsel for the Respondent/complainant(S):

1.PUBLIC PROSECUTOR

The Court made the following:

THE HON'BLE SRI JUSTICE HARINATH.N

CRIMINAL PETITION No.2962 OF 2025

ORDER:

1. Heard the learned counsel for the petitioners and the learned Assistant Public Prosecutor appearing for the State.
2. The petitioners were arraigned as A.1 to A.4 in Crime No.170 of 2024 of Chilakaluripet Rural Police Station, Palnadu District, registered for the alleged offences under Sections 115(2), 118(1) read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023.
3. It is alleged in the complaint that, on account of marital disputes, the petitioners assaulted the 2nd respondent, thereby causing her injuries. The learned counsel for the petitioners submits that, on account of these marital disputes, the 2nd respondent filed the present complaint implicating the petitioners.
4. The learned counsel further submits that the offences alleged against the petitioners are punishable below 7 years and therefore, seeks a direction to the police to follow the procedure provided under Section 35(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. The learned Assistant Public Prosecutor submits that the injuries allegedly sustained by the 2nd respondent are simple in nature.
6. Considering the submissions of the learned counsel for the petitioners, the Station House Officer, Chilakaluripet Rural Police Station, Palnadu District, is directed to follow the procedure as contemplated under Section 35(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023, insofar as the petitioners/A.1to A.4 are concerned, for the purpose of investigation in connection with Crime No.170 of 2024,.
7. Accordingly, the criminal petition is disposed off.
8. Miscellaneous petitions, if any, pending in the criminal petition shall stand closed.

//TRUE COPY//

SD/- K.J.RAJA BABU
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Station House Officer, Chilakaluripet Rural Police Station, Palnadu District.
2. One CC to SRI. THOTA RAMAKOTESWARA RAO Advocate [OPUC]
3. Two CCs to the Public Prosecutor, High Court of Andhra Pradesh at Amaravathi. [OUT]
4. THREE CD COPIES
Chp
TAC

HIGH COURT

DATED:20/03/2025

ORDER

CRLP.No.2962 of 2025



DISPOSING OF THE CRIMINAL PETITION