

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

FRIDAY, THE FIRST DAY OF MAY, ✓

TWO THOUSAND AND TWENTY SIX ✓



:PRESENT:

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO ✓

CRIMINAL PETITION NO: 3369 OF 2026 ✓

Between:

1. Polamarasetty Balaraju, S/o. Manikyam, aged about 51 years, Businessman, R/o. Near Main Road, Mangapalaem Village, Mangapalaem Post, Kothavalasa Mandal, Vizianagaram District. (A-1)
2. Polamarasetty Karun Kumar @ Karun Kumar, S/o Polamarasetti Bala Showri (late), aged 42 years. Flat No. C-6, Amma Residency Phase-2, Despathuni Palem, Mangalapalem Post, KothavalasaMandal, Vizianagaram District. (A-2)
3. Doddi Sandeep Kumar, S/o. Doddi Prakash Rao, aged about 37years, residing at Near Anganiwadi Centre-2, Mangapalaem Village, Mangapalem Post, Kothavalasa Mandal, Vizianagaram District. (A-4).
4. Sarisa Vinodh Kumar @ Sarisi Vinodh Kumar, S/o. P. Prakash Rao, aged about 39 years, Businessman, residing at D.No.1-22, RajannaGari Streeet, Near RCM Chruch, Mindivalasa Ramachandrapuram, Mangalapalem, Kothavalasa, Vizianagaram District. (A-5).

Petitioners/A1, A2, A4 & A5. ✓

AND

1. The State of Andhra Pradesh, through the Station House Officer, Kothavalasa Police Station, Vizianagaram District, represented by the

learned Public Prosecutor, High Court of Andhra Pradesh at Amaravati.
(Complainant)

2. Boni Lakshmi, W/o Boni Satyam late, aged 46 years, R/o at D.No. 3-141, Chintalapalem Village, Kothavalasa Mandal, Vizianagaram District-531173 (de-facto complainant)

Respondents/Complainant

Petition under Section 528 of BNSS., is filed praying that in the circumstances stated in the grounds filed in support of the Criminal Petition, the High Court may be pleased to Quash the FIR No.40/2026 against the Petitioners/ A1,A2,A4,A5, dated 17.04.2026, registered by the Kothavalasa Police Station, Vizianagaram under Sections 329(3), 324(4), 118(1) and 351(2) read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023 (BNS) and Sections 3(1)(r), 3(1)(s) and 3(2) (va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (SC/ST POA Act);

IA NO: 2 OF 2026

Petition under Section 528 of BNSS., is filed praying that in the circumstances stated in the grounds filed in support of the Criminal Petition, the High Court may be pleased to direct the 1st respondent not to take any coercive steps against the petitioners/A1,A2,A4,A5 in connection with FIR No.40/2026 dated 17.04.2026. registered at Kothavalasa Police Station, Vizianagaram District till disposal of this petition;

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri. MALLAVARAPU PRADEEP KUMAR, Advocate for the Petitioners and of PUBLIC PROSECUTOR, for the Respondent No.1;

The Court made the following ORDER:

Heard the learned Counsel for the Petitioners and the learned Assistant Public Prosecutor. ✓

Since the alleged offences leveled against the Petitioners/Accused Nos.1, 2, 4 and 5 are punishable with imprisonment for less than seven (07) years, the Investigating Officer is directed to comply with the guidelines issued by the Hon'ble Apex Court in Arnesh Kumar v. State of Bihar¹, and also with the provisions of Section 35(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity, 'the BNSS'). However, the Petitioners shall cooperate with the Investigating Officer for receiving notice under Section 35(3) of 'the BNSS', and the Investigating Officer may proceed with further investigation. If the investigation reveals commission of any offence punishable with imprisonment exceeding seven years, the Investigating Officer is at liberty to proceed in accordance with law. ✓

Post the matter after Summer Vacation– 2026 along with Crl.P.No.3421 of 2026. ✓

//TRUE COPY//

SD/- K. KASIRAO ACHARI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Station House Officer, kothavalasa Police Station, Vizianagaram District.
2. Boni Lakshmi, W/o Boni Satyam late, aged 46 years, R/o at D.No. 3-141, Chintalapalem Village, Kothavalasa Mandal, Vizianagaram District-531173 (BY RPAD)
3. One CC to Sri. MALLAVARAPU PRADEEP KUMAR, Advocate [OPUC]
4. Two CCs to the PUBLIC PROSECUTOR, High Court of Andhra Pradesh, Amaravati. [OUT]
5. **One spare copy**

¹ (2014) 8 SCC 273

HIGH COURT

DR.YLR, J

DATED:01/05/2026

POST THE MATTER AFTER SUMMER VACATION– 2026 ALONG WITH
CRL.P.NO.3421 OF 2026.

ORDER

CRLP.No.3369 of 2026

DIRECTION

