

[3457]

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
THURSDAY, THE FIRST DAY OF MAY
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE HARINATH.N
CRIMINAL PETITION NO: 4869 OF 2025



Between:

1. Bollu Rahul, S/o.Late Lingavara Prasad, Age 38 years, R/o.Flat No.505, Sai Anuhya Enclave, 7th Lane, 2nd Cross, Chandra Mouli Nagar, Guntur, Guntur District.
2. Bollu Sandhya Rani, W/o.Late Lingavara Prasad, Age 60 years, Rio.Flat No.505, Sai Anuhya Enclave. 7th Lane, 2nd Cross, Chandra Mouli Nagar, Guntur, Guntur District

Petitioners/Accused-1&2

AND

1. The State of Andhra Pradesh, Rep.by its Public Prosecutor, High Court at Amaravathi. Through Station House Officer, Tenali I Town Police Station, Guntur District.
2. Bollu Yogananda Chatarjee, S/o late Ramaiah, Aged 54 years, R/o. Pidaparthipalem Village, Pidaparru, Koliipara mandal, Guntur District.

Respondent/Complainant

Petition under Section 528 of B.N.S.S. (under section 482 of Cr.P.C), praying that in the circumstances stated in the affidavit filed in support of the Criminal Petition, the High Court may be pleased to quash the proceedings in FIR No.63 of 2025 on the file of Tenali I Town Police Station. Guntur District.

IA NO: 2 OF 2025

Petition under Section 482 CrPC is filed praying that in the circumstances stated in the grounds filed in support of the petition, the High Court may be pleased to stay of all further proceedings in R No.63 of

2025 on the file of Tenali own Police Station, Guntur District, Pending disposal of CRLP 4869 of 2025, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of Sri T BALASWAMI, Advocate for the Petitioners and of PUBLIC PROSECUTOR for the Respondent No.2 and the Court made the following;

ORDER:

"1. Heard the submissions of the learned counsel for the petitioners and the learned Assistant Public Prosecutor appearing for the State.

2. The learned counsel for the petitioners submits that the petitioners were arraigned as A.1 and A.2 in Crime No.63 of 2025 on the file of the Tenali I Town Police Station, Guntur District, registered for the alleged offences under Sections 115(2), 351(2) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The learned counsel further submits that the 2nd respondent is the wife of the brother of the 1st petitioner. The husband of the 2nd respondent filed a suit in O.S. No. 120 of 2016 before the I Additional Junior Civil Judge, Tenali. The suit was dismissed, and subsequently, an appeal was preferred in A.S.No.127 of 2024, which was also dismissed. After the demise of her husband, the 2nd respondent has now lodged a false complaint, alleging offences under Section 115(2) and Section 315(2) of the BNS. It is submitted that a civil dispute has been wrongfully given a criminal colour and a frivolous complaint has been filed with malafide intent.

4. Considering the submissions, there shall be stay of all further proceedings in Crime No.63 of 2025 on the file of the Tenali I Town Police Station, Guntur District, insofar as the petitioners are concerned.

5. The learned counsel for the petitioners is permitted to serve personal notice on the 2nd respondent by registered post with acknowledgment due and file proof of service in the Registry.

6. List the matter on 19.06.2025."

Sd/- K.TATA RAO
DEPUTY REGISTRAR

SECTION OFFICER

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The I Additional Junior Civil Judge, Tenali
2. The S.H.O., Tenali I Town Police Station. Guntur District
3. Bollu Yogananda Chatarjee, S/o late Ramaiah, Aged 54 years, R/o. Pidaparthipalem Village, Pidaparru, Koliipara mandal, Guntur District.
(by RPAD)
3. One CC to SRI. T BALASWAMI Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court of AP [OUT]
5. One spare copy

Kj

HIGH COURT

HN,J

DATED:01/05/2025

LIST THE MATTER ON 19.06.2025

ORDER

CRLP.No.4869 of 2025

STAY

