

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
THURSDAY, THE TWENTY FIFTH DAY OF JULY,
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE B V L N CHAKRAVARTHI
IA No. 2 OF 2024

IN

CRLP NO: 5056 OF 2024



Between:

1. Rayapati Sunil Datta, S/o. Nagesh, aged 31 years, Occ Lab Technician, R/o. D. No. 21-111, Tilak Road, Gandhi Bazar, Ananthapuramu, Ananthapuramu District.
2. Rayapati Padmavathi, W/o. Nagesh, aged 49 years, Occ House Wife, R/o. D. No. 21-111, Tilak Road, Gandhi Bazar, Ananthapuramu, Ananthapuramu District.
3. Rayapati Nagesh, S/o. Rayapati Naga Lingappa aged 61 years, Occ RTC Mechanic, R/o. D. No. 21-111, Tilak Road, Gandhi Bazar, Ananthapuramu, Ananthapuramu District.
4. Rayapati Janaka Maha Raju, S/o. Nagesh, aged 27 years, Occ Studying, R/o. D. No. 21-111, Tilak Road, Gandhi Bazar, Ananthapuramu, Ananthapuramu District.

...Petitioners/

Accused 1 to 4

AND

1. State of Andhra Pradesh, Rep. by its Public Prosecutor, High Court of Andhra Pradesh at Amaravati.

...Respondent

2. Rayapati Sudeepthi, W/o. Suneel Dat, Aged 26 years, Occ House Wife, R/o. D.No. 17/1-250, Venugopal Nagar, Ananthapuramu, Ananthapuramu District.

...Respondent/

Defacto Complainant

Counsel for the Petitioners

: Sri KISHORE KUMAR KATARI

Counsel for the Respondent No.1 : PUBLIC PROSECUTOR

Petition under Section 482 of Cr.P.C, praying that in the circumstances stated in the memorandum of grounds filed in support of the petition, the High Court may be pleased to grant stay of all further proceedings including arrest of the Petitioners in Crime No. 169 of 2024 of Ananthapuramu 1 Town Police Station, Ananthapuramu District, Pending disposal of CRLP No. 5056 of 2024, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following (The receipt of this order will be deemed to be the receipt of notice in the case)

ORDER:

“Heard learned counsel for the petitioners.

Learned counsel for the petitioners would submit that the petitioners are husband, parents-in-law and brother-in-law of *defacto* complainant in this case and police registered FIR in Crime No.169 of 2024 on the file of Ananthapuram I Town Police Station against the petitioners for the offence punishable under Sections 498-A, 506 read with 34 of Indian Penal Code and Sections 3 and 4 of Dowry Prohibition Act. The *defacto* complainant impleaded the petitioners with false allegations only to harass them.

Considering the above facts and circumstances as the alleged offences are punishable less than seven years imprisonment, the police are directed to follow the procedure under Section 41A of Criminal

Procedure Code, as directed by the Hon'ble Apex Court in *Arnesh Kumar Vs. State of Bihar and another*¹'s case."

//TRUE COPY//

For A

SDI-SK MD RAFI
ASSISTANT REGISTRAR
ch
SECTION OFFICER

To,

1. The Station House Officer, Ananthapuram I Town Police Station, Ananthapuramu District.
2. Rayapati Sudeepthi, W/o. Suneel Dat, Aged 26 years, Occ House Wife, R/o. D.No. 17/1-250, Venugopal Nagar, Ananthapuramu, Ananthapuramu District. (By RPAD)
3. One CC to Sri Kishore Kumar Katari, Advocate [OPUC]
4. Two CCs to Public Prosecutor (AP) High Court of Andhra Pradesh [OUT]
5. **One spare copy**

CVSS

¹ (2014) 8 SCC 273

HIGH COURT

BVLNC,J

DATED:25/07/2024

LIST THE MATTER ON 05.09.2024.

ORDER

IA No. 2 OF 2024

IN

CRLP NO: 5056 OF 2024

DIRECTION

