



IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI



WEDNESDAY, THE SIXTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL PETITION NO: 7217 OF 2025

Between:

1. L. Jagapathi Babu, S/o. L. Sambasiva Naidu, Aged about 39 years, R/o 1-20, Bommasamudram village, Irala Mandal Chittoor District.
2. L. Vivek, S/o. L. Sambasiva Naidu, Aged about 37 years, R/o 1-20, Bommasamudram village, Irala Mandal, Chittoor District.
3. L. Sambasiva Naidu, S/o. Peddabba Naidu, Aged about 59 years, R/o 1-20, Bommasamudram village, Irala Mandal, Chittoor District.
4. L.Chilakamma, W/o. L. Sambasiva Naidu Aged about 49 years, R/o 1-20, Bommasamudram village, Irala Mandal, Chittoor District.
5. D.Gnanaraju, S/o. K.Devaraju, Aged 30 years, 2-151, CMT Road, Kongareddypally, Chittoor District.
6. A. Murali, S/o. A.Anand Aged 27 years, R/ 22-1349, Srinivasa Nagar, Kattamnchi, Chittoor, Chittoor District.
7. Shasi @ Prabhu, S/o. Ravi, Aged 25 years R/ o Vengalrao colony Kongareddypally, Chittoor District.
8. S.Munikeshava, S/o. Murali Raju Aged 28 yearsR/o Ragimanipenta village Bangarupalem Mandal, Chittoor District.

...Petitioners/Accused Nos. 1 to 8

AND

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

...Respondent

2. P. Pavan Kumar, S/o. Late P.Bhaskar Reddy Aged about 34 years, Occ. Private Employee R/o 44, Bommasamudram village, Irala Mandal Chittoor District.

...Respondent/Defacto Complainant

Petition under Section 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to Quash the proceedings in Crime No.29 of 2025 of Kanipakam Police Station, Chittoor District.

IA NO: 2 OF 2025

Petition under Section 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to grant stay all and further proceedings including arrest of the Petitioners/Accused Nos. 1 to 8 in Crime No.29 of 2025 of Kanipakam Police Station, Chittoor District.

Counsel for the Petitioners: SRI HARINADH NIDAMANURI

Counsel for the Respondent No.1: PUBLIC PROSECUTOR

Counsel for the Respondent No.2: SRI KAPPERA PAVAN KALYAN

The Court made the following ORDER:



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

[3396]

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TWO THOUSAND AND TWENTY FIVE
PRESENT

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA
CRIMINAL PETITION NO: 7217/2025

Between:

- 1.L. JAGAPATHI BABU, S/O L. SAMBASIVA NAIDU AGED ABOUT 39YEARS, R/O 1-20, BOMMASAMUDRAM VILLAGE, IRALA MANDAL CHITTOOR DISTRICT
- 2.L. VIVEK, S/O L. SAMBASIVA NAIDU AGED ABOUT 37 YEARS, R/O 1-20, BOMMASAMUDRAM VILLAGE, IRALA MANDAL CHITTOOR DISTRICT
- 3.L. SAMBASIVA NAIDU, S/O PEDDABBA NAIDU AGED ABOUT 59 YEARS, R/O 1-20, BOMMASAMUDRAM VILLAGE, IRALA MANDAL CHITTOOR DISTRICT
- 4.L.CHILAKAMMA, W/O L. SAMBASIVA NAIDU AGED ABOUT 49 YEARS, R/O 1-20, BOMMASAMUDRAM VILLAGE, IRALA MANDAL CHITTOOR DISTRICT
- 5.D.GNANARAJU, S/O K.DEVARAJU, AGED 30 YEAR, 2-151, CMT ROAD, KONGAREDDYPALLY CHITTOOR DISTRICT.
- 6.A. MURALI, S/O A.ANAND AGED 27 YEARS, R/ 22-1349, SRINIVASA NAGAR, KATTAMNCHI, CHITTOOR CHITTOOR DISTRICT
- 7.SHASI @ PRABHU, S/O RAVI, AGED 25 YEARS R/ O VENGALRAO COLONY KONGAREDDYPALLY, CHITTOOR DISTRICT
- 8.S.MUNIKESHAHA, S/O MURALI RAJU AGED 28 YEARS R/O RAGIMANIPENTA VILLAGE BANGARUPALEM MANDAL, CHITTOOR DISTRICT

...PETITIONER/ACCUSED(S)

AND

- 1.THE STATE OF ANDHRA PRADESH, REP.BY ITS PUBLIC PROSECUTOR, HIGH COURT OF ANDHRA PRADESH AT AMARAVATI.
- 2.P PAVAN KUMAR, S/O LATE P.BHASKAR REDDY AGED ABOUT 34 YEARS, OCC PRIVATE EMPLOYEE R/O 44, BOMMASAMUDRAM VILLAGE, IRALA MANDAL CHITTOOR DISTRICT

...RESPONDENT/COMPLAINANT(S):

Counsel for the Petitioner/accused(S):

1.HARINADH NIDAMANURI

Counsel for the Respondent/complainant(S):

1.KAPPERA PAVAN KALYAN

2.PUBLIC PROSECUTOR

The Court Made the Following Order:

The instant Criminal Petition is filed under Section 528 of the BNSS, by the Petitioners herein, to quash the proceedings in Crime No.29 of 2025 of Kanipakam Police Station, Chittoor District, registered for the offences punishable under Sections 74, 118(1), 115(2), 329(3), 324(2), 351(2) read with 190 BNS.

2. Heard learned counsel for the petitioners and the learned counsel for the respondent No.2 and the learned Assistant Public Prosecutor representing the respondent No.1/State.

3. Learned counsel for the petitioners would submit that the petition may be disposed of by giving protection to the petitioners vide guidelines of the Hon'ble Apex Court in ***Arnesh Kumar v. State of Bihar***¹.

4. Learned Assistant Public Prosecutor, on instructions, would submit that the offences registered against the petitioners are punishable with less than seven years period of imprisonment and necessary direction may be given to the concerned Station House Officer.

5. Considering the submissions, this criminal petition is disposed of with the following;

¹ (2014) 8 SCC 273

a. Investigating Officer is at liberty to complete the investigation, in accordance with law.

b. In the event of any coercive action sought to be taken against the petitioners, concerned police authorities are directed to scrupulously follow the procedure prescribed under Section 35(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023, and the guidelines laid down by the Hon'ble Supreme Court in *Armesh Kumar's case (supra)*.

6. It goes without saying that, if any charge sheet is filed in the above crime, the petitioners are at liberty to challenge the charge sheet, if they feels aggrieved by the same.

7. Accordingly, the Criminal Petition is disposed of.

Pending applications, if any, shall stands closed.

**Sd/- SHAIK MOHD. RAFI
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The Station House Officer, Kanipakam Police Station, Chittoor District.
2. One CC to Sri. Harinadh Nidamanuri, Advocate [OPUC]
3. One CC to Sri. Kappera Pavan Kalyan, Advocate [OPUC]
4. Two CCs to the Public Prosecutor, High Court of Andhra Pradesh at Amaravati. [OUT]
5. Two CD Copies

Chp

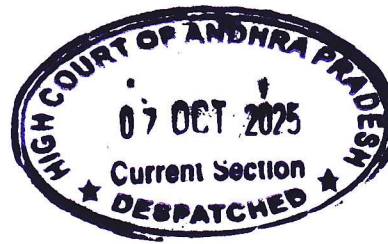
sree

HIGH COURT

DATED:06/08/2025

ORDER

CRLP NO. 7217 OF 2025



**DISPOSING OF THE
CRIMINAL PETITION**