

APHC010406842025



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

[3396]

THURSDAY, THE SEVENTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL PETITION NO: 8225/2025

Between:

1. POTTELLA SIREESHA, W/O PENCHALA PRASAD, R/O EAST STREET, TURIMELLA VILLAGE, SYDAPURAM MANDAL, SPSR NELLORE DISTRICT

...PETITIONER/ACCUSED

AND

1. THE STATE OF ANDHRA PRADESH, REP BY PUBLIC PROSECUTOR, HIGH COURT OF AP, AMARAVATI

2. PASAPALA NARAYANA, S/O CHINNAIAH, POKKANDALA VILLAGE, SYDAPURAM MANDAL, SPSR NELLORE DIST.

...RESPONDENT/COMPLAINANT(S):

Petition under Section 437/438/439/482 of Cr.P.C and 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court pleased to quash the entire proceedings against the petitioner in Crime No. 115 of 2025 on the file Sydapuram Police Station, SPSR Nellore District, being in abuse of process of law and pass

IA NO: 1 OF 2025

Petition under Section 482 of Cr.P.C and 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to Dispense with the filing of the certified copy of FIR & Complaint in Crime No. 115 of 2025 on the file Sydapuram Police Station, SPSR Nellore District, and pass

IA NO: 2 OF 2025

Petition under Section 482 of Cr.P.C and 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to stay all further proceedings in Crime No. 115 of 2025 on the file Sydapuram Police Station, SPSR Nellore District, pending disposal of the main criminal petition, and pass

Counsel for the Petitioner/accused:

1. SIVAPRASAD REDDY VENATI

Counsel for the Respondent/complainant(S):

1. PUBLIC PROSECUTOR

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

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ORDER:

The instant criminal petition under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C)/under Section 528 of BNSS., has been filed by the Petitioner/Accused No.1, seeking quashment of the proceedings pending against her in Crime No.115 of 2025, of Sydapuram Police Station, SPSR Nellore District registered for the offences punishable under Sections 131, 351(2) r/w 3(5) of BNS, 3(1)(r)(s), 3(2)(va) of SCs & STs (POA) Act.

2. Heard Sri Sivaprasad Reddy Venati, learned counsel for the Petitioner/Accused No.1 and Ms. K. Priyanka Lakshmi, learned Assistant Public Prosecutor on behalf of the State.

3. Learned counsel for the petitioner would submit that the petition may be disposed of by giving protection to the petitioner *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 petitioner 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 petitioner, concerned police authorities are directed to scrupulously follow the procedure prescribed under Section 35 (3) of BNSS., [Section 41-A Cr.P.C] and the guidelines laid down by the Hon'ble Supreme Court in *Arnesh Kumar's case (supra)*.
6. It goes without saying that, if any charge sheet is filed in the above crime, the petitioner is at liberty to challenge the charge sheet, if she feels aggrieved by the same.
7. In the result, the Criminal Petition is disposed of.

As a sequel thereto, miscellaneous petitions pending, if any, shall stand closed.

Dr. JUSTICE VENKATA JYOTHIRMAI PRATAPA

Date: 07.08.2025
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HON'BLE DR. JUSTICE VENKATA JYOTHIRMAI PRATAPA

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Dated.07.08.2025

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