



**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: 8272/2025

Between:

1. GOTHULA VENKATA RAO, S/O VENKATESWARLU, AGED ABOUT 46 YEARS, OCC DRIVER, R/O D.NO.1-92, MANNETIKOTA VILLAGE, ULAVAPADU MANDAL, SPSR NELLORE DISTRICT.
2. GOTHULA SUDHAKARA RAO, S/O VENKATESWARLU AGED ABOUT 43 YEARS, OCC NEWS REPORT, R/O D.NO. 1-92, MANNETIKOTA VILLAGE, ULAVAPADU MANDAL, SPSR NELLORE DISTRICT.

...PETITIONER/ACCUSED(S)

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY THE PUBLIC PROSECUTOR, HIGH COURT OF AP, AMARAVATHI.
2. CHANAMALA BRAHAMAIAH, S/O RAMALINGAIAH, OCC- VRO, MANNETIKOTA, R/O MANNETIKOTA VILLAGE, ULAVAPADU MANDAL, SPSR NELLORE DISTRICT.

...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 Proceedings in Crime No. 107 of 2025 on the file of the Ulavapadu Police Station, SPSR Nellore District filed against the Petitioners/A1 & A2 and/or 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 certified copy of Crime No. 107 of 2025 on the file of the Ulavapadu 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 including arrest of the petitioners /A1& A2 herein in Crime No. 107 of 2025 on the file of Ulavapadu Police Station, SPSR Nellore District and pass

Counsel for the Petitioner/accused(S):

- 1.P V VENKATA RAVI SANKAR and Dr. P.B Reddy
- 2.P V VENKATA RAVI SANKAR

Counsel for the Respondent/complainant(S):

- 1.PUBLIC PROSECUTOR

The Court made the following:

ORDER:

The instant Criminal Petition, under Section 528 of B.N.S.S., 2023 (u/s.482 of the Code of Criminal Procedure, 1973) has been filed by the Petitioners/Accused Nos.1 and 2, seeking quashment of the entire proceedings against them in Crime No.107 of 2025, Ulavapadu Police Station, SPSR Nellore District.

2. Heard learned counsel for the petitioners and Ms. K.Priyanka Lakshmi learned Assistant Public Prosecutor representing the 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 offence registered against the petitioners is 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;

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 BNSS, [41-A

¹ (2014) 8 SCC 273

Cr.P.C.] and the guidelines laid down by the Hon'ble Supreme Court in *Arnesh Kumar's case (supra)*.

7. 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 he feels aggrieved by the same.

8. Accordingly, the Criminal Petition is disposed of.

Pending applications, if any, shall stand closed.

Dr.VENKATA JYOTHIRMAI PRATAPA,J

Date: 07.08.2025

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HON'BLE Dr.JUSTICE VENKATA JYOTHIRMAI PRATAPA

Crl.P.No.8272 of 2025

Dt.07.08.2025

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