



IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI



MONDAY, THE ELEVENTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL PETITION NO: 8302 OF 2025

Between:

1. Kasturi Nagarjuna, S/o. Kasturi Shanmukha Raju, Aged about 31 years, R/o. H. No. 32/36, Medari Street, One Town, Kurnool City, Kurnool District - 518 001.
2. Kasturi Hari Priya @ Hari Priya, S/o. Kasturi Shanmukha Raju, Aged about 33 years, R/o. H. No. 32/36, Medari Street, One Town, Kurnool City, Kurnool District- 518 001.
3. Kasturi Shanmukha Raju, S/o Kasturi Subba Rayudu, Aged about 60 years, R/o. H. No. 32/36j Medari Street, One Town, Kurnool City, Kurnool District- 518001
4. Kasturi Leelavathi, W/o. K. Shanmukha Raju, Aged about 56 years, R/o. H. No. 32/36, Medari Street, One Town, Kurnool City, Kurnool District - 518001.

...Petitioners Nos.1 to 4/

Accused Nos. 1 to 4

AND

1. The State of Andhra Pradesh, Rep. by its Public Prosecutor, Through SHO, Mahila Police Station, Prakasam District, High Court of Andhra Pradesh.

...Respondent No.1/Complainant

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2. Muthyala Rajeswari, D/o. Nageswara Rao, Aged about 31 years, R/o. Mangamur Road, Ongole Town, Prakasam District.

...Respondent No.2/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 FIR No. 60 of 2025 dated 18.07.2025 on the file of Ongole Mahila UPS, Prakasam District for the offences under sections 75 and 351(2) r/w 3(5) of BNS.

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 of all further proceedings in FIR No. 60 of 2025 dated 18.07.2025 on the file of the Ongole Mahila UPS, Prakasam District pending disposal of the Criminal Petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Varun Byreddy, Advocate for the Petitioners and on the Public Prosecutor on behalf of the Respondent No.1.

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: 8302/2025

Between:

- 1.KASTURI NAGARJUNA, S/O. KASTURI SHANMUKHA RAJU, AGED ABOUT 31 YEARS, R/O. H. NO. 32/36, MEDARI STREET, ONE TOWN, KURNOOL CITY, KURNOOL DISTRICT - 518 001.
- 2.KASTURI HARI PRIYA ALIAS HARI PRIYA, S/O. KASTURI SHANMUKHA RAJU, AGED ABOUT 33 YEARS, R/O. H. NO. 32/36, MEDARI STREET, ONE TOWN, KURNOOL CITY, KURNOOL DISTRICT - 518 001.
- 3.KASTURI SHANMUKHA RAJU, S/O KASTURI SUBBA RAYUDU, AGED ABOUT 60 YEARS, R/O. H. NO. 32/36J MEDARI STREET, ONE TOWN, KURNOOL CITY, KURNOOL DISTRICT- 518001
- 4.KASTURI LEELAVATHI, W/O. K.SHANMUKHA RAJU, AGED ABOUT 56 YEARS, R/O. H. NO. 32/36, MEDARI STREET, ONE TOWN, KURNOOL CITY, KURNOOL DISTRICT - 518001.

...PETITIONER/ACCUSED(S)

AND

- 1.THE STATE OF ANDHRA PRADESH, REP. BY ITS PUBLIC PROSECUTOR, THROUGH SHO, MAHILA POLICE STATION, PRAKASAM DISTRICT, HIGH COURT OF ANDHRA PRADESH.
- 2.MUTHYALA RAJESWARI, D/O. NAGESWARA RAO, AGED ABOUT 31 YEARS, R/O. MANGAMUR ROAD, ONGOLE TOWN, PRAKASAM DISTRICT.

...RESPONDENT/COMPLAINANT(S):

Counsel for the Petitioner/accused(S):

- 1.VARUN BYREDDY

Counsel for the Respondent/complainant(S):

- 1.PUBLIC PROSECUTOR

The Court Made the Following Order:

The instant Criminal Petition is filed under Section 528 of the BNSS, by the Petitioners herein/A1 to A4, to quash the proceedings in Crime No.60 of 2025 of Mahila UPS, Ongole, Prakasam District,

registered for the offences punishable under Sections 75 and 351(2) read with 3(5) of BNS.

2. Heard learned counsel for the petitioners and the learned Assistant Public Prosecutor representing the respondent/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;
 - 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 *Arnesh Kumar's case (supra)*.

¹ (2014) 8 SCC 273

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/- N NAGAMMA
ASSISTANT REGISTRAR

//TRUE COPY//

for **SECTION OFFICER**

To,

1. The Station House Officer, Mahila UPS, Ongole, Prakasam District.
2. Two CCs to the Public Prosecutor, High Court of Andhra Pradesh [OUT]
3. One CC to Sri. Varun Byreddy, Advocate [OPUC]
4. Two CD Copies

sree

HIGH COURT

DATED:11/08/2025

ORDER

CRLP NO. 8302 OF 2025



**DISPOSING THE CRIMINAL
PETITION**