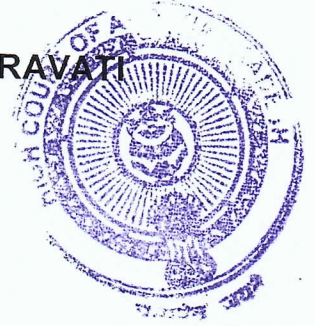


IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI



TUESDAY, THE TWELFTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

IA No. 2 OF 2025

IN

CRLP NO: 8398 OF 2025

Between:

Yarabolu Girija, W/o. Krishna Reddy, Age 66 Years, Occ Business,
R/o.D.No.22/11, Flat No.G-2, Virat Sai Krishna Apartment, Lawyer
Jagannathan Street, Guindy, Guindy Industrial Estate, Chennai, Tamil Nadu-
600032

...Petitioner(s)

(Petitioner/Petitioner in CRLP 8398 OF 2025

on the file of High Court)

AND

1. The State of Andhra Pradesh, Rep.by the Public Prosecutor, High Court at Amaravati
2. The Station House Officer, Chejerla Police Station, SPSR Nellore District
3. The Executive Officer, Sri Koteswara Swamy Temple, Kotithreerdham, Chejerla Mangal, Sri Potti Sriramulu Nellore District

...Respondent(s)

(Respondents/Respondents in-do-)

Counsel for the Petitioner

:SRI SRINIVAS BOBBILI

Counsel for the Respondent No.1:PUBLIC PROSECUTOR

Petition under Section 528 of BNSS praying that in the circumstances stated in the memorandum of grounds filed in support of the petition, the High Court may be pleased to stay all further proceedings in pursuance of FIR.No.69/2025 dt.03.08.2025 registered by the Station House Officer, Chejerla Police Station, SPSR Nellore District, Andhra Pradesh, including the arrest of the Petitioner, Pending disposal of CRLP No. 8398 of 2025, 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 order.(The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER:

Heard learned counsel for the petitioner.

Learned counsel for the petitioner would submit that the offences are punishable below seven years of imprisonment and a direction may be given to the Police to follow the guidelines issued by Hon'ble Apex Court in *Arnesh Kumar v. State of Bihar* reported in (2014) 8 SCC 273, since Section 35(3) of BNSS is pari materia to Section 41-A of the Code of Criminal Procedure.

Learned Assistant Public Prosecutor fairly conceded the same and would submit that a direction may be given to the Police to follow the procedure as established under Section 35(3) of BNSS Act since the offences are punishable with an imprisonment of below seven years.

In that view, the Police are directed to follow the guidelines issued by the Hon'ble Apex Court in *Arnesh Kumar's case (supra)* scrupulously.

//TRUE COPY//

For

**Sd/- K.TATA RAO
DEPUTY REGISTRAR**

SECTION OFFICER

To,

1. The Station House Officer, Chejerla Police Station, SPSR Nellore District, Andhra Pradesh
2. The Executive Officer, Sri Koteswara Swamy Temple, Kotithreerdham, Chejerla Mangal, Sri Potti Sriramulu Nellore District (By RPAD)
3. One CC to SRI. SRINIVAS BOBBILI Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR, High Court of Andhra Pradesh [OUT]
5. One spare copy

PSR

HIGH COURT

DR.VJP,J

DATED:12/08/2025

NOTE: LIST THE MATTER ON 19.08.2025.

ORDER

IA No. 2 OF 2025
IN
CRLP NO: 8398 OF 2025

INTERIM DIRECTION

