

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
THURSDAY, THE TWENTY FIRST DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FOUR



:PRESENT:

THE HONOURABLE SRI JUSTICE B V L N CHAKRAVARTHI
CRIMINAL PETITION NO: 7781 OF 2024

Between:

1. Smt. Renukuntla Padmaja, S/o. Shiva Kumar, aged: 48 years, H.No.1-15-143 to 146, Balaji Nagar, Ward-15, Kagaz Nagar, Komuram Bheem Asifabad Dist., Telangana -504 296.
2. Smt. Budha Madhuri, W/o. Manish, aged: 39 years, H.No. 4-70, Lonavely, Sirpur.T(M), Komuram Bheem Asifabad Dist., Telangana - 504 299.
3. Smt. Budha Srilatha @ Sreelatha Sanku, (died on 08.12.2023) W/o. Mayur Kumar, aged: 50 years, H.No.16-2-836/4/6/101, Sreenivasam Aprts, Near More Super Market, Saidabad, Hyderabad, Telangana - 500 059.
4. Smt. Budha Surekha, W/o. Rameshwar, aged: 75 years, H.No.4-69, Lonavely, Sirpur.T(M), Komuram Bheem Asifabad Dist., Telangana - 504 299.
5. Renukuntla Shiva Kumar, S/o. Namdev, aged: 50 years H.No.1-15-143 to 146, Balaji Nagar, Ward-15, Kagaz Nagar, Komuram Bheem Asifabad Dist., Telangana -504 296.
6. Budha Manish Kumar, S/o. Budha Rameshwar, Aged: 49 years, H.No. 4-70, Lonavely, Sirpur.T(M), Komuram Bheem Asifabad Dist., Telangana - 504 299.

Petitioners/Accused

AND

1. The State of A.P., Rep. by its Public Prosecutor, High Court of A.P.
Through Anaparthi Police Station, East Godavari District, Andhra Pradesh.

2. Medapati Anada Reddy, S/o. Venkata Reddy Aged: about- 45 years, Ramavaram Village, Anaparthi Mandal, East Godavari District Andhra Pradesh - 533 264.

Respondents/de-facto Complainant

Petition under Section 528 of B.N.S.S. (under section 482 of Cr.P.C), is filed praying that in the circumstances stated in the memorandum of grounds filed in support of the Criminal Petition, the High Court may be pleased to quash the proceedings against the petitioners in FIR No. 199/2024, dated: 20.09.2024 registered for the offences punishable under sections 420 r/w 34 IPC on the file of Anaparthi Police Station, East Godavari District.

IA NO: 1 OF 2024 :

Petition under Section 528 of BNSS, 2023 is filed praying that in the circumstances stated in the memorandum of grounds filed in support of the petition, the High Court may be pleased to suspend the operation of the notices dated: 16.10.2024 issued by the SHO, Anaparthi to the petitioners 5 and 6, who were not arrayed as accused in the FIR No. 199/2024, dated: 20.09.2024 registered for the offences punishable under 420 r/w 34 IPC on the file of Anaparthi Police Station, East Godavari District, Pending disposal of CRLP 7781 of 2024, on the file of the High Court.

IA NO: 2 OF 2024 :

Petition under Section 528 of BNSS, 2023 is filed 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 of all further proceedings including the arrest of the petitioners, in FIR No.199/2024, dated: 20.09.2024 registered for the offences punishable under 420 r/w 34 IPC on the file of Anaparthi Police Station, East Godavari District, Pending disposal of CRLP 7781 of 2024, on the file of the High Court.

Petition coming on for hearing, upon perusing the Petition and the memorandum of grounds filed in support thereof and upon hearing the arguments of M/s. BURUGU SRILATHA, Advocate for the Petitioner, and of Public Prosecutor for Respondent No.1, the Court made the following

The Court made the following ORDER:

“Heard learned counsel for the petitioners.

At request of learned counsel for the petitioners for filing proof of service, list the matter after two (02) weeks.

All the offences alleged against the petitioners herein are punishable up to seven (07) years of imprisonment only.

Considering the facts and circumstances of the case, the Respondent/police are directed to follow the procedure as contemplated under Section 35(3) of the Bharatiya Nyaya Sanhita, 2023 corresponding to Section 41A Cr.P.C., scrupulously as per the guidelines enunciated in *Arnesh Kumar Vs. State of Bihar and another*¹.”

Sd/- K.TATA RAO
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER
Fo REGISTRAR

To,

1. The Station House Officer, Anaparthi Police Station, East Godavari District.
2. Medapati Anada Reddy, S/o. Venkata Reddy Aged: about- 45 years, Ramavaram Village, Anaparthi Mandal, East Godavari District Andhra Pradesh - 533 264.(by RPAD- along with a copy of petition and memorandum of grounds)
3. One CC to M/s. BURUGU SRILATHA Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court of AP [OUT]
5. One spare copy

ER

HIGH COURT

BVLNC, J

DATED:21/11/2024

LIST THE MATTER AFTER TWO (02) WEEKS

ORDER

CRLP.No.7781 of 2024

DIRECTION

