



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

[3521]

FRIDAY, THE TWENTY FOURTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 10979/2025

Between:

1. N VENKATA GOUD, S/O. LATE CHENGGE GOWDA, AGED ABOUT 39 YEARS, OCC EX. MEMBER OF LEGISLATIVE ASSEMBLY PALAMANER CONSTITUENCY, R/O. 2-5, THOTAKANUMA, THOTA KANUMA, CHITTOOR, ANDHRA PRADESH 517 415.
2. P HEMANTHA KUMAR, S/O. LATE P. SRI RAMULU REDDY, AGED ABOUT 58 YEARS, OCC POLITICIAN R/O. 1-94, MASEED STREET, OLD PET, PALAMANER, CHITTOOR, ANDHRA PRADESH
3. SHAIK MUZAMMIL, S/O. SHAIK DASTHAGIRI, AGED ABOUT 37 YEARS, OCC BUSINESS, R/O. 14-71, BOYA STREET, PALAMANER, CHITTOOR, ANDHRA PRADESH
4. RANGAREDDYGARI CHENGAREDDY, S/O. RANGAREDDYGARI RANGAREDDY, AGED ABOUT 52 YEARS, OCC BUSINESS, R/O. 1-41/3, KURMOI, PO, CHITTOOR, ANDHRA PRADESH.
5. S D MURALI KRISHNA, S/O. S.V. DAMODARACHARI AGED ABOUT 46 YEARS, OCC POLITICIAN R/O. 13-71/A, LINGAYATH STREET, PALAMANER, PO PALAMANER, CHITTOOR DISTRICT
6. K N NAGARAJU, S/O. K.M. KRISHNAIAH, AGED ABOUT 50 YEARS, OCC POLITICIAN R/O. H.NO. 6-137/A, KANAKADURGA GUDI STREET, OLD PET PALAMANER, PALAMANER, CHITTOOR DISTRICT
7. S AKBAR, S/O. SHAIK MASTHAN SAHEB, AGED ABOUT 37 YEARS, R/O. 25-808, RANGAPURAM, PALAMANER, PALAMANER,

CHITTOOR, ANDHRA PRADESH.

8. P MAHESH, C/O. P.PARTHASARADHI,AGED ABOUT 41 YEARS, OCC CARPENTER, R/O.28-342, GANTAVOORU, PALAMANER, PALAMANER, CHITTOOR DISTRICT.
9. S M ABZAL ALI, S/O.MASTHAN SAHEB,AGED ABOUT 37 YEARS,R/O.21-109, GG STREET, PALAMANER, CHITTOOR, ANDHRA PRADESH.
- 10.S KHADARVALLI SHAIK, S/O. S.MAKBUL SHAIK,AGED ABOUT 37 YEARS,R/O.11-256/6, LAKSHMI NAGAR COLONY, PALAMANER,PO PALAMANER, CHITTOOR DISTRICT, ANDHRA PRADESH
- 11.K C TEJA KUMAR, S/O. K.CHANDRA BABU, AGED ABOUT 33 YEARS,R/O.28/25A, PALAMANER, GANTEWORU,PO PALAMANER, CHITTOOR DISTRICT, ANDHRA PRADESH.

...PETITIONER/ACCUSED(S)

AND

- 1.THE STATE OF ANDHRA PRADESH, REPRESENTED BY ITS PUBLIC PROSECUTOR,AMARAVATHI, GUNTUR DISTRICT.
- 2.M PARTHASARADHI, S/O. LATE N.MOGILAPPA,AGED ABOUT 45 YEARS, OCC BUSINESS, R/O.H.NO.6-42-2, PALAMANER MANDAL, LIC COLONY, CHITTOOR, ANDHRA PRADESH

...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 F.I.R.No.249 of 2025 on the file of P.S. Palamaner, UPS, Chittoor District for the offence under Section 329(4), 324(4), 351(2), r/w 3(5) BNS against the Petitioners/Accused No.1 to 11 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 certified copy of the Crime in F.I.R.No.249 of 2025 on the file of P.S. Palamaner, UPS, Chittoor District for

the offence under Section 329(4), 324(4), 351(2), r/w 3(5) BNS, pending disposal of the above Criminal Petition 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 F.I.R.No.249 of 2025 on the file of P.S. Palamaner, UPS, Chittoor District for the offence under Section 329(4), 324(4), 351(2), r/w 3(5) BNS against the Petitioners/Accused No.1 to 11, pending disposal of the above Criminal Petition and pass s

Counsel for the Petitioner/accused(S):

1.K RAGHU VEER

Counsel for the Respondent/complainant(S):

1.PUBLIC PROSECUTOR

The Court made the following:

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 10979/2025

ORDER:

The Criminal Petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity 'the BNSS') by the petitioners/Accused Nos.1 to 11 for granting of pre-arrest bail in connection with Crime No.249 of 2025 of Palamaner UPS Police Station, Chittoor District, registered for the alleged offences punishable under Sections 329(4), 324(4), 351(2) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for brevity 'the BNS').

2. Facts in brief of the case of prosecution are that, on 21.10.2025, petitioners/accused Nos.1 to 11 trespassed into the construction site of the *de facto*-complainant and demolished the northern wall of the under construction building using JCB causing severe loss and mental distress. The respondent No.2/ *de facto*-complainant filed a complaint and the same was registered as Crime No.249/2025 under Sections 329(4), 324(4), 351(2) read with 3(5) of 'the BNS'.

3. Heard learned counsel for the petitioners and the learned Assistant Public Prosecutor. Perused the material on record.

4. Petitioner/Accused Nos.1 to 11 have moved this Court for grant of pre-arrest bail. A perusal of the allegations against the petitioners, there are specific overt acts against the Petitioners as seen from the averments of the FIR. However, all the offences are punishable with imprisonment of less than

seven years, this Court directs the police to follow the procedure as contemplated under Section 35 (3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (old provision, Section 41A of the Code of Criminal Procedure, 1973) scrupulously as per the guidelines enunciated in **Arnesh Kumar Vs. State of Bihar and another**¹ and also **Md. Asfak Alam Vs. The State of Jharkhand**².

5. Accordingly, with the above direction, the Criminal Petition is disposed of.

DR. Y. LAKSHMANA RAO, J

Date: 24th October, 2025

RKS

¹(2014) 8 SCC 273

²(2023) 8 SCC 632