



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

[3396]

THURSDAY, THE FOURTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL PETITION NO: 12552/2025

Between:

- 1.KONKISA VIJAY KUMAR, S/O.KONKISA KUMAR SWAMY, AGED 32 YEARS, OCC EMPLOYEE, R/O.H.NO.6-11 /I, NEAR BNSL TELEPHONE TOWER, NARSAMPET VILLAGE AND MANDAL, WARANGAL DISTRICT. HUSBAND OF THE DE-FACTO COMPLAINANT
- 2.KONKISA AJAY KUMAR, S/O.KONKISA KUMAR SWAMY AGED 29 YEARS, OCC EMPLOYEE, R/O.H.NO.6-11/1, NEAR BNSL TELEPHONE TOWER, NARSAMPET VILLAGE AND MANDAL, WARANGAL DISTRICT. BROTHER-IN-LAW OF THE DE-FACTO COMPLAINANT
- 3.KONKISA PADMAVATHI, W/O. KONKISA KUMAR SWAMY, AGED 50 YEARS, OCCHOUSEWIFE, R/O.H.NO.6-11/1, NEAR BNSL TELEPHONE TOWER, NARSAMPET VILLAGE AND MANDAL, WARANGAL DISTRICT. MOTHER-IN-LAW OF THE DE-FACTO COMPLAINANT
- 4.KONKISA KUMAR SWAMY, S/O.NARSAIAH AGED 56 YEARS, OCC BUSINESS, R/O.H.NO.6-11 /I, NEAR BNSL TELEPHONE TOWER, NARSAMPET VILLAGE AND MANDAL, WARANGAL DISTRICT. FATHER-IN-LAW OF THE DE-FACTO COMPLAINANT

...PETITIONER/ACCUSED(S)

AND

- 1.THE STATE OF ANDHRA PRADESH, THROUGH SHO, P.S. NATHAVARAM, ANAKAPALLI DISTRICT, REP. BY PUBLIC

PROSECUTOR, HIGH COURT FOR THE STATE OF ANDHRA PRADESH, HIGH COURT BUILDINGS, NELAPADU, AMARAVATHI, GUNTUR

2.JEEVIREDDI LALITHA, D/O.JEEVIREDDI RAJABABU, W/O.KONKISA VIJAY KUMAR, AGE 29 YEARS OCC EMPLOYEE R/O.NATHAVARAM VILLAGE AND MANDAL, ANAKAPALLI DISTRICT, AP STATE - 531113.

...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 may be pleased to quash the proceedings against the petitioners /accused nos.I to 4 in Crime No. 130 of 2025 of P.S.Nathavaram, Anakapalli District dated 15.11.2025 and pass such

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 may be pleased to dispense with filing of certified copies of complaint and FIR in Crime No. 130 of 2025 of P.S.Nathavaram, Anakapalli District, dated 15.11.2025 and pass such

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

Counsel for the Petitioner/accused(S):

1.NAGESHWAR RAO PUJARI

Counsel for the Respondent/complainant(S):

1.PUBLIC PROSECUTOR

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL PETITION NO: 12552/2025

ORDER:

The instant Criminal Petition under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C)/under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') has been filed by the Petitioners/Accused Nos.1 to 4, seeking quashment of the proceedings pending against him in Crime No.130 of 2025 dated 15.11.2025 of P.S.Navathavaram, Anakapalli District, for the offences punishable under Sections 316(2), 85, 351(2) read with 3(5) of B.N.S.

2. Heard Sri Nageswar Rao Pujari, learned Counsel for the Petitioners and Mrs.K.Priyanka Lakshmi, learned Assistant Public Prosecutor on behalf of the State.

3. Learned counsel for the Petitioners would submit that the petition may be disposed of by giving protection to the Petitioner *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 Petitioner 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;

¹ (2014) 8 SCC 273

- 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 Petitioner, concerned police authorities are directed to scrupulously follow the procedure prescribed under Section 35 (3) of BNSS., [Section 41-A Cr.P.C] and the guidelines laid down by the Hon'ble Supreme Court in *Arnesh Kumar's case (supra)*.
6. It goes without saying that, if any charge sheet is filed in the above crime, the Petitioner is at liberty to challenge the charge sheet, if he feels aggrieved by the same.

As a sequel thereto, miscellaneous petitions pending, if any, shall stand closed.

Dr. JUSTICE VENKATA JYOTHIRMAI PRATAPA

Date: 04.12.2025
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CRIMINAL PETITION No: 12552 of 2025

Dated. 04.12.2025

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