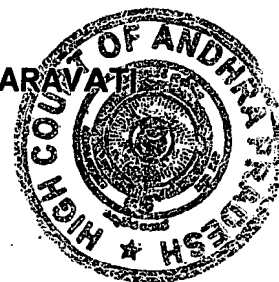


IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATHI

FRIDAY, THE SEVENTH DAY OF JULY  
TWO THOUSAND AND TWENTY THREE

PRESENT



THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY

CRIMINAL PETITION NO: 4574 OF 2023

Between:

Indukuri Chaitanya Kumar Varma, S/o Jagannadha Raju, aged about 35 years, Occ. Engineer, R/o Flat No. B-102, Al Shaheen Complex, Beside Oryx Hotel, Khalidiya, Abu Dhabi, UAE also at D.No. 39-13-20/2, 2nd Floor, Sri Vari Nilayam, Besides Murali Nagar Post Office, Madhavadhara, Visakhapatnam.

...Petitioner/Accused No.1

AND

1. The State of Andhra Pradesh, rep by its Public Prosecutor, High Court of Andhra Pradesh, at Amaravathi, Through SHO, UPS Visakhapatnam.
2. Smt. Kammella Priyanka, W/o I. Chaitanya Kumar Varma, aged about 32 years, Occ. Pvt. Employee R/o MIG-IIA-114, Gullapalem, VUDA Colony, Sriharipuram, Malkapauram Post, Visakhapatnam District.

...Respondents/Defacto Complainant

Petition under Section 482 of Cr.P.C is filed praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to quash FIR No.124 of 2023 on the file of the P.S Disha UPS Visakhapatnam for the offences u/s 498-A, 506 of IPC and 3, 4 of D.P Act against the petitioners / Accused No.1

I.A. NO: 2 OF 2023

Petition under Section 482 of Cr.P.C 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 including arrest /appearance of the petitioners/Accused No. 1 in pursuance of FIR No. 124 of 2023 on the file of the P.S. Disha UPS Visakhapatnam pending disposal of the main CrI.P.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Kakumanu Joji Amrutha Raju, Advocate for the Petitioner and the Public Prosecutor on behalf of the Respondent No.1.

The Court made the following: ORDER

**HON'BLE SRI JUSTICE K. SREENIVASA REDDY**

**Criminal Petition No.4574 of 2023**

**Order:**

This Criminal Petition, under Section 482 Cr.P.C., has been filed on behalf of the petitioner herein/A1 to quash the proceedings in Crime No.124 of 2023 of Disha Urban Police Station, Visakhapatnam, registered for the offences punishable under Sections 498-A, 506 IPC and Sections 3 and 4 of the Dowry Prohibition Act, 1961.

2. Learned counsel for the petitioner, after arguing for some time, has confined his argument to the extent of protecting the petitioner herein from the police on the ground that the offences alleged are punishable with imprisonment of less than seven years and prays this Court to direct the police to follow the procedure as contemplated under Section 41A of Cr.P.C.

3. On the other hand, learned Assistant Public Prosecutor did not oppose the same and concurred with the submission made by the learned counsel for the petitioner for the reason that the offences alleged are punishable with imprisonment of less than seven years.

4. Heard. Perused the material on record.

5. Since the offences alleged are punishable with imprisonment of less than seven years, this Court directs the police to follow the procedure as contemplated under Section 41A of Cr.P.C. scrupulously

as per the guidelines enunciated in ***Arnesh Kumar Vs. State of Bihar and another<sup>1</sup>***.

6. With the above directions, the Criminal Petition is disposed of.
7. As a sequel thereto, the miscellaneous petitions, if any, pending in this Criminal Petition, shall stand closed.

<sup>1</sup> (2014) 8 SCC 273

SD/- B CHITTI JOSEPH  
ASSISTANT REGISTRAR

//TRUE COPY//

*CO*  
SECTION OFFICER

To,

1. The Station House Officer, Disha Women Police Station, Visakhapatnam Police Station.
2. Two CCs to the Public Prosecutor, High Court of Andhra Pradesh at Amaravathi [OUT]
3. One CC to Sri Kakumanu Joji Amrutha Raju, Advocate [OPUC]
4. Three CD Copies

sree

*Sree*

<sup>1</sup> (2014) 8 SCC 273

**HIGH COURT**

**DATED:07/07/2023**

**ORDER**

**CRLP.No.4574 of 2023**

7 Copies  
4 yrs  
16/10/23

**DISPOSING OF THE CRIMINAL PETITION**

