

**IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI**

MONDAY ,THE SEVENTH DAY OF AUGUST  
TWO THOUSAND AND TWENTY THREE

**PRESENT**

**THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY**

**CRIMINAL PETITION NO: 5681 OF 2023**



**Between:**

1. Kanupuru Mohan Reddy, S/o Late Sundara Ram Reddy, Aged about 66 years, R/o D.No.26-3-1669, 6th Street, Chandramouli Nagar, Opp. Nippo, Vedayapalem, Nellore City.
2. Shaik Khaja Masthan,, S/o Basha Saheb, Aged about 54 years, R/o Aviseshapalli, Venkatachalam, Nellore District.

**...PETITIONER/ACCUSED NO.S 2 & 3**

**AND**

1. The State Of Andhra Pradesh, Rep. by its Public Prosecutor, High Court of Andhra Pradesh, At Amaravathi
2. Renigunta Rajeshwari,, W/o R. Ravindra Kumar, Aged about 58 years, R/o 5th Street, Chandramouli Nagar, Vedayapalem, Nellore, Nellore City.

**...RESPONDENT/ DE-FACTO COMPLAINANT**

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 pleased to Quash the FIR. No.204 of 2023 on the file of Vedayapalem Police Station, Nellore District and pass

**I.A. NO: 1 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 of the petitioners in FIR. No.204 of 2023 on the file of Vedayapalem Police Station, Nellore District pending disposal of the above Criminal Petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Harinath Reddy Soma ,Advocate for the Petitioner and the Public Prosecutor (AP) on behalf of the Respondent No.

**The Court made the following:**

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

**Criminal Petition No.5681 of 2023**

**Order:**

This Criminal Petition, under Section 482 Cr.P.C., has been filed on behalf of the petitioners herein/A2 and A3, to quash proceedings in Crime No.204 of 2023 of Vedayapalem Police Station, SPSR Nellore district, registered for the offences punishable under Sections 420, 468, 471 read with 34 IPC.

2. Learned counsel for the petitioners, after arguing for some time, has confined his argument to the extent of protecting the petitioners herein from the coercive action by 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 petitioners 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

//TRUE COPY//

SD/- SHAIK MOHD. RAFI  
ASSISTANT REGISTRAR

*ch*  
SECTION OFFICER

To,

1. The Station House Officer, Vedapalem PS, Sri Potti Sriramulu Nellore District
2. One CC to Sri Harinath Reddy Soma, Advocate [OPUC]
3. One CC to the Public Prosecutor (AP), Advocate [OPUC]
4. Three CD Copies

JM

*Pujita*

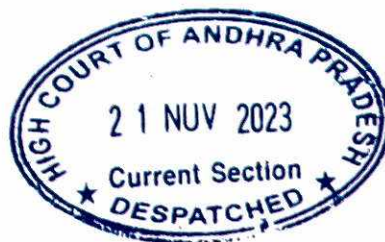
**HIGH COURT**

**DATED: 07/08/2023**

**ORDER**

**CRLP.No.5681 of 2023**

*6 copies  
TP  
17/11/2023*



**CRIMINAL PETITION IS DISPOSED OF**