

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

**THURSDAY, THE TWENTY FOURTH DAY OF AUGUST  
TWO THOUSAND AND TWENTY THREE**

**PRESENT**

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

**CRIMINAL PETITION NO: 6337 OF 2023**



**Between:**

**B. Sridhar Reddy, S/o.B.Narasimha Reddy, Flat No.G-3, Harini Residency Balaji Nagar, Kukatpally, Hyderabad, Telangana.**

**...PETITIONER/ACCUSED No.1**

**AND**

1. The State of Andhra Pradesh, Rep.by Public Prosecutor, High Court of AP, Amaravathi.
2. Kodamachili Jai Geetha Rani Padma Kumari, W/o.Rakshana Kumar, Aged 52 years, R/o.80-14-3, Pavan Kumar Apartments A.V.A. Road, Rajahmundry, E.G.District Andhra Pradesh.

**...RESPONDENTS**

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 proceedings in FIR No.293/2023 on the file of the SHO, PM Palem Police Station, Visakhapatnam, Visakhapatnam District, Andhra Pradesh.

**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 in FIR No.293/2023 on the file of the SHO, PM Palem Police Station, Visakhapatnam, Visakhapatnam District, Andhra Pradesh pending disposal of the above Cr.P.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri D. KODANDARAMI REDDY, 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.6337 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.293 of 2023 of PM Palem Police Station, Visakhapatnam Commissionerate, registered for the offences punishable under Sections 447, 427, 506 and 509 read with 34 IPC and Sections 3(1)(r) and 3(1)(s) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act.

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 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 petitioner for the reason that the offences alleged are punishable with imprisonment of less than seven years.

4. Heard. Perused the material on record.

7/10/2024 1:00 PM

10/10/2024 1:00 PM

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.

(2014) 8 SCC 273

Sd/- S. SRINIVASA PRASAD  
ASSISTANT REGISTRAR

//TRUE COPY//

for <sup>chsn</sup> SECTION OFFICER

To,

1. The Station House Officer, P.M. Palem Police Station, Visakhapatnam, Visakhapatnam District, Andhra Pradesh.
2. Two CCs to The Public Prosecutor, High Court of Andhra Pradesh at Amaravati [OUT]
3. One CC to Sri D. Kodandarami Reddy, Advocate [OPUC]
4. Two C.D. Copies

Cnr

CP  
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**HIGH COURT**

**DATED:24/08/2023**

**ORDER**

**CRLP.No.6337 of 2023**



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CP  
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**DISPOSING OF THE CRIMINAL PETITION**