

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

**FRIDAY, THE THIRTY FIRST DAY OF JANUARY
TWO THOUSAND AND TWENTY FIVE**



**PRESENT
THE HONOURABLE SMT JUSTICE V.SUJATHA**

CRIMINAL PETITION No.941 OF 2025

Between:

Bode Ramachandra Yadav, aged about 42 years, S/o. Bode Muneppa,
Occupation: Politics, R/o. D.No.31-39/9, Sri Sunanda Nilayam,
Kothaindiu, LIC Colony, Punganur, Chittoor District, Andhra Pradesh-
517 247.

...PETITIONER

AND

1. The State of Andhra Pradesh, Represented by its Public Prosecutor
High Court Buildings Amaravati.
2. T.V.Satyanarayana, S/o. Anjaneyulu, aged about 58 years, Occupation:
Police Officer, Podili Police Station, Podili, Prakasham District, Andhra
Pradesh.

...RESPONDENTS

Petition under Section 528 of BNSS (Old 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 quash all proceedings against
the petitioner herein arraigned as Accused No.1 in FIR.No.10 of 2025
dated 24-01-2025, pending on the file of the Podili Police Station,
Prakasham District.

I.A. No.2 OF 2025

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 direct the Investigating Officer to issue a Section 35 BNSS notice to the petitioner herein who is arraigned as Accused No.1 in FIR.No.10/2025 pending on the file of the Podili Police Station, Podili, Prakasham District and follow the judgment rendered by the Hon ble Supreme Court of India in the case of Arnesh Kumar State of Bihar (2014) 8 see 273 in the interim pending disposal of the main Criminal Petition.

I.A. No.3 OF 2025

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 grant stay of all further proceedings against the petitioner herein arraigned as Accused No.1 in FIR.No.10/2025 pending on the file of the Podili Police Station, Podili, Prakasham District in the interim pending disposal of the main Criminal Petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Umesh Chandra P V G, Advocate for the Petitioner and the Public Prosecutor on behalf of the Respondent No.1

The Court made the following ORDER :



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

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FRIDAY, THE THIRTY FIRST DAY OF JANUARY
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SMT JUSTICE V.SUJATHA

CRIMINAL PETITION NO: 941/2025

Between:

Bode Ramachandra Yadav,

...PETITIONER/ACCUSED

AND

The State Of Andhra
Pradesh and Others

...RESPONDENT/COMPLAINANT(S)

Counsel for the Petitioner/accused:

1. UMESH CHANDRA P V G

Counsel for the Respondent/complainant(S):

1. PUBLIC PROSECUTOR

The Court made the following:

ORDER:

This Criminal Petition is filed by the petitioner herein under Section 528 of B.N.S.S., to quash the proceedings in Crime No.10 of 2025 of Podili Police Station, Prakasam District registered for the offences punishable under Sections 189(1), 126(1), 132, 121(1), 196(1), 285 read with 190 BNS.

2. Heard learned counsel for the petitioner and learned Assistant Public Prosecutor appearing for the respondent No.1/State.

3. Learned counsel for the petitioner 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 all the offences registered against the petitioner herein are punishable with less than seven (07) years period of imprisonment and necessary direction may be given to the concerned Station House Officer.

¹ [2014] 8 SCC 273

5. Considering the submissions, this Criminal Petition is disposed of with the following directions;

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, the concerned police authorities are directed to scrupulously follow the procedure as contemplated under Section 35(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 corresponding to Section 41A Cr.P.C., scrupulously as per the guidelines enunciated 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 they feels aggrieved by the same.

7. Accordingly, the Criminal Petition is disposed of.

As a sequel, interlocutory applications pending, if any, shall stand closed.

SD/- K.SRINIVASA RAJU
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

1. The Station House Officer, Podili Police Station, Prakasham District.
2. One CC to Sri. Umesh Chandra P V G, Advocate [OPUC]
3. Two CCs to the Public Prosecutor, High Court of Andhra Pradesh at Amaravati [OUT]
4. THREE CD COPIES

gkk

TAC

HIGH COURT

DATED:31/01/2025

ORDER

CRLP.No.941 of 2025



CRIMINAL PETITION IS DISPOSED OF