APHC010304012026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3521]**
(Special Original Jurisdiction)

TUESDAY, THE 8th DAY OF SEPTEMBER 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NOs: 4817 and 4875 of 2026

1.CRIMINAL PETITION NO: 4817/2026

Between:

1. SHAIK ABDUR RAZZAQ, S/O. SHAIK SHABUDDIN, AGED ABOUT 22YEARS, R/O. D. NO. 3/1415, CO-OPERATIVE SOCIETY COLONY,KADAPA CITY, YSR KADAPA DISTRICT.
2. SYED UMAIR ALI, , S/O. SYED AMZAT ALI, AGED ABOUT 25 YEARS,R/O. D. NO. 3/1416, CO-OPERATIVE SOCIETY COLONY, KADAPACITY, YSR KADAPA DISTRICT

...PETITIONER/ACCUSED(S)

AND

1. THE STATE OF ANDHRA PRADESH, THROUGH THE STATION HOUSEOFFICER, CHINNA CHOWK U/G P.S, KADAPA, REPRESENTED BY ITSPUBLIC PROSECUTOR, HIGH COURT OF ANDHRA PRADESH, AMARAVATI.
2. KANISETTY CHANDRAKALA, W/O. GIRISH GUPTA, AGED ABOUT 46 YEARS, HOUSEWIFE, R/O. D. NO. 41/761, SCOUT HALL BACK SIDE, SHANAKARAPUARAM, KADAPA CITY, YSR KADAPA DISTRICT. RESPONDENT NO.2 IS IMPLEADED AS PER THE COURT ORDER DATED 07.07.2026 IN I.A.NO.1 OF 2026 IN CRL.P.NO.4817 OF 2026.

...RESPONDENT/COMPLAINANT(S):

Counsel for the Petitioner/accused(S):

KALEEMULLA S

Counsel for the Respondent/complainant(S):

1. V R REDDY KOVVURI

2. PUBLIC PROSECUTOR

2.CRIMINAL PETITION NO: 4875/2026

Between:

.SYED FARAZ AHMAED,, S/O. SYED FARAZ AHMED AGED ABOUT 24 YEARS, R/O. 11/116-4-3, KUMMARA KURATA, KADAPA TOWN, KADAPA, YSR KADAPA DISTRICT.

...PETITIONER/ACCUSED

AND

1. THE STATE OF ANDHRA PRADESH, THROUGH THE STATION HOUSE OFFICER, CHINNA CHOWK U/G P.S, KADAPA,, REPRESENTED BY ITS PUBLIC PROSECUTOR, HIGH COURT OF ANDHRA PRADESH, AMARAVATI.
2. KANISETTY CHANDRAKALA, W/O. GIRISH GUPTA, AGED ABOUT 46 YEARS. HOUSEWIFE, R/O. D. NO. 41/761, SCOUT HALL BACK SIDE, SHANAKARAPUARAM, KADAPA CITY, YSR KADAPA DISTRICT. RESPONDENT NO.2 IS IMPLEADED AS PER THE COURT ORDER DATED 07.07.2026 IN I.A.NO.1 OF 2026 IN CRL.P.NO.4875 OF 2026.

...RESPONDENT/COMPLAINANT(S):

Counsel for the Petitioner/accused:

KALEEMULLA S

Counsel for the Respondent/complainant(S):

1. V R REDDY KOVVURI
2. PUBLIC PROSECUTOR

The Court made the following:

COMMON ORDER:

These two Criminal Petitions are heard and disposed of by way of this common order, even though the petitioners are different, since the crime involved is one and the same.

2. These two Criminal Petitions have been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity, 'the BNSS'), by the petitioners/Accused Nos.1 to 3, seeking grant of pre-arrest bail in connection with Crime No.43 of 2026 of Chinna Chowk U/G Police Station, YSR Kadapa District, registered for the alleged offences punishable under Sections 318(4), 308(5) read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for brevity, 'the BNS').

3. The case of the prosecution, in brief, is that Kanisetty Chandra Kala is the de-facto complainant and her son, Kanisetty Srinivas, who is deaf by birth, joined Data Mites Software Coaching Centre along with the petitioner and A.1 and A.2. It is alleged that the petitioner and A.1 and A.2 threatened Srinivas that Data Mites would register cases against them regarding his attendance and, taking advantage of his innocence and fear, extorted huge amounts from the de-facto complainant and her family from the year 2024 till February, 2026. On 11.02.2026, they came to the house of the de-facto complainant during night hours, demanded

Rs.20,00,000/-, but she paid Rs.1,00,000/- due to fear. It is further alleged that an amount of Rs.5,00,940/- was transferred from the PhonePe accounts of the de-facto complainant and her son to the PhonePe account of A.1 on 40 occasions.

4. Mr.Syed Kaleemulla, the learned counsel for the petitioners, submits that the petitioners are innocent and have been falsely implicated in the present crime. He submits that the case is motivated by vengeance, particularly in view of the earlier writ petition filed against the Cyber Crime Police, and that there is no specific material or date to establish payment of the alleged huge amounts.

5. The learned counsel for the petitioners further submits that only Rs.5,00,940/- was transferred through PhonePe on 40 occasions, which amount was subsequently returned in cash, and that the petitioners, at the request of the son of the de-facto complainant, paid Rs.20,00,000/- to the management of Data Mites for securing employment for him. He submits that the petitioners are ready to cooperate with the investigation, comply with the conditions imposed by this Court and furnish sureties. He further submits that they were already subjected to third-degree torture by the Cyber Crime Police and apprehend similar treatment in the event of their arrest. Therefore, he prays that the petitioners may be enlarged on bail in the event of their arrest.

6. *Per contra*, Mr.A.Sai Rohit, the learned Assistant Public Prosecutor, submits that the allegations against the petitioners are serious in nature and that they, along with the other accused, allegedly threatened the son of the de-facto complainant and extorted huge amounts from her and her family. He submits that the investigation is still at a crucial stage and that the financial transactions and money trail are required to be verified.

7. The learned Assistant Public Prosecutor further submits that custodial interrogation of the petitioners is necessary to ascertain the complete facts, recover the proceeds of the alleged crime and identify the involvement of other persons. He submits that, if granted pre-arrest bail, the petitioners may threaten or influence the de-facto complainant and other material witnesses. He further submits that the anticipatory bail applications filed by the petitioners *vide* Crl.M.P.Nos.218 and 219 of 2026 before the learned VI Additional District and Sessions Judge, Kadapa, were already dismissed. Therefore, he prays for dismissal of the Criminal Petitions.

8. Mr.V.R.Reddy Kovvuri, the learned counsel for respondent No.2/de-facto complainant, submits that the allegations against the petitioners are serious and are supported by the material collected during the investigation. He submits that the investigation is in progress

and custodial interrogation is necessary to trace the money trail and recover the remaining amount. He further submits that there is a likelihood of the petitioners threatening or influencing the de-facto complainant and other witnesses.

9. The respondent No.2/de-facto complainant has filed a detailed counter and submits that her son, who is deaf by birth, was taken advantage of by the petitioners, who were his classmates and friends. He submits that the petitioners threatened him regarding his attendance and examinations and induced him to arrange Rs.20,00,000/-. It is further submitted that the petitioners thereafter extorted huge amounts exceeding Rs.2 Crores from the de-facto complainant and her family. It is submitted that the accused utilised the said amounts for purchasing several vehicles and other luxuries. The claim of the petitioners that they received only Rs.5,00,940/- is false and contrary to the material on record. It is submitted that the victim and his family are under threat and apprehend danger from the petitioners. Therefore, it is prayed for dismissal of the Criminal Petitions.

10. Heard the learned counsel for the petitioners, the learned Assistant Public Prosecutor and the learned counsel for respondent No.2.

11. Thoughtful consideration is bestowed on the arguments advanced by the learned Counsel for both sides. I have perused the entire record.

12. Now the point for consideration is:

> *"Whether the Petitioners are entitled for grant of pre-arrest bail?"*

13. As seen from the record, the son of the de-facto complainant, by name Kasinisetti Srinivas, is a helpless person, being deaf by birth, and had gone to Bangalore in the month of May, 2024, along with the petitioners/Accused Nos.1 to 3 to attend coaching at Data Mites Software Coaching Centre. After returning home from the coaching, the petitioners/accused falsely told him that, due to an attendance issue, a case had been registered against him by the institute and started threatening him and demanding money, taking advantage of the fear and condition of the victim. The accused repeatedly extorted huge amounts from the de-facto complainant and her son.

14. The allegation against the petitioners/Accused Nos.1 to 3 is that, prior to 06.03.2026, they, being fellow students of the son of the de-facto complainant, hatched a plan to defraud the son of the de-facto complainant/victim and extorted money from the de-facto complainant and her family by using coercive means. The petitioners intimidated the de-facto complainant's son and extorted huge amounts of money to the tune of several lakhs of rupees from the de-facto complainant. On 11.02.2026, during the night hours, the petitioners came to the house of the de-facto complainant, threatened to kill her with a knife and

demanded Rs.20,00,000/-. Due to fear, the de-facto complainant gave Rs.1,00,000/- to them. The record reveals that the accused had withdrawn huge amounts from the account of the de-facto complainant.

15. The petitioners/Accused Nos.1 and 2 had filed W.P.No.5746 of 2026 before this Court against the police, seeking a declaration with regard to the action of the Inspector of Police, Cyber Crime, in subjecting them to physical torture. This Court, *vide* order dated 13.03.2026 in W.P.No.5746 of 2026, directed the Inspector of Police (Cyber Crime), C.C.S., Balaji Nagar, Kadapa, Y.S.R. Kadapa District/respondent No.4, to appear before this Court on 23.03.2026, and the said writ petition is pending.

16. It is submitted that Accused Nos.1 and 2 had paid Rs.5,00,940/- to the de-facto complainant. It is alleged that out of the money extorted from the de-facto complainant, the accused had acquired several movable assets, including two-wheelers and four-wheelers, many of which stand in the names of the relatives and associates of the petitioners. In the police proceedings, the source of the money of the de-facto complainant is also clearly mentioned. The investigation reveals that huge amounts of money were extorted by the petitioners from the de-facto complainant.

17. As seen further from the record, Accused No.1 had written a letter to the District Legal Services Authority stating that the victim had parted with Rs.20,00,000/- to Accused No.1 about six months ago, but he could not arrange employment for him despite his best efforts. Accused No.1 requested some time; however, the de-facto complainant and her son lodged a complaint with the Cyber Crime Police Station against the petitioners and other accused. Accused No.1 further informed to the Legal Services Authority that the police had tortured him and his mother. The petitioner urged the Legal Services Authority to do justice by conducting mediation and to grant protection to the accused from the police and the de-facto complainant. It appears that the request of petitioner No.1/Accused No.1 did not result in any positive outcome.

18. The investigation is at a progressive stage. The accusations are well founded against the petitioners. Custodial interrogation of the petitioners is indispensable to identify the complete money trail, recover the further proceeds of the offence and establish the involvement of the petitioners/accused connected with the alleged offences.

19. The learned VI Additional District and Sessions Judge, Kadapa, on 12.06.2026, also considering the gravity and nature of the allegations levelled against Accused Nos.1 to 3, dismissed the pre-arrest bail applications filed by them. In order to verify the bank accounts, UPI

transactions and cash payments, and to recover the remaining proceeds of the crime, custodial interrogation of the petitioners is required.

20. In view of the specific overt acts attributed to the petitioners, this Court is not inclined to grant pre-arrest bail to the petitioners, as it would amount to giving a shield, protection or licence to the petitioners in respect of the specific allegations levelled against them, as held by the Hon'ble Apex Court in **Gurbaksh Singh Sibbia v. State of Panjab**[1] and **Sushila Aggarwal v. State of (NCT of Delhi)**[2].

21. Having regard to the facts and circumstances of the case, the nature and gravity of the allegations, and the material available on record, this Court is not inclined to grant the extraordinary relief of pre-arrest bail, as the petitioners are most likely to threaten or influence the de-facto complainant, her son and other material witnesses. There are no merits in the Criminal Petitions and the same are liable to be dismissed.

22. In the result, the Criminal Petitions are dismissed.

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

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DR. Y. LAKSHMANA RAO, J

Date: 08.09.2026
RSI

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[1] **(1980) 2 SCC 565**
(2020) 5 SCC 1

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NOs: 4817 and 4875 of 2026

Date: 08.09.2026
RSI