APHC010333272026

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

MONDAY, THE 20th DAY OF JULY 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 5309/2026

Between:

1. ABBANNA GARI VISHNU VARDHAN BABU (VISHNU VARDHANAS PER FIR), S/O VENKATAIAH, AGED ABOUT 23 YEARS, OCC EMPLOYEE,R/O. D.NO.3/567, AKKAYAPALLI, KADAPA CITY.

...PETITIONER/ACCUSED

AND

1. THE STATE OF ANDHRA PRADESH, rep., by its Public Prosecutor,High Court Buildings, Amaravathi.

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused:

1. V R REDDY KOVVURI

Counsel for the Respondent/complainant:

1. PUBLIC PROSECUTOR

The Court made the following:

ORDER:

The Criminal Petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity 'the BNSS') by the Petitioner/Accused No.2 for granting of pre-arrest bail in connection with Crime No.16 of 2026 of Kadapa Taluk U/G Police Station, Y.S.R.Kadapa

District, registered for the alleged offence punishable under Sections 108 read with 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for brevity 'the BNS').

2. The case of the prosecution is that the deceased Pasam Venkata Sreenivasulu, having fallen into the clutches of usurious moneylenders (Accused Nos.1 to 4), was subjected to relentless demands, public humiliation, and threats of dire consequences despite partial repayment and even mortgaging his residential property to discharge debts. The persistent intimidation and harassment inflicted by the accused drove the deceased into a state of unbearable mental torment, culminating in his consumption of a lethal quantity of pills on 10.02.2026, leading to his death during treatment on 11.02.2026.

3. Sri V.R.Reddy Kovvuri, learned Counsel for the Petitioner submits that the Petitioner is entirely innocent and has been falsely implicated due to the de-facto complainant's dual position as both the deceased's wife and a Junior Assistant in the Superintendent of Police Office, which has exerted undue pressure on the investigating agency. The FIR, the complainant's statement and the available material reveal only vague, omnibus allegations of loan recovery and general harassment by Accused Nos.1 to 4 without any specific overt act, proximate instigation, or intentional aiding by the Petitioner that could constitute an offence under Section 108 of 'the BNS.,' and in the absence of clear evidence of threats, coercion or a sustained course of conduct that deprived the deceased of all alternatives, the ingredients of

abetment are plainly lacking as held by the Apex Court in **Mahendra Awase v. State of M.P.,**[1] and therefore mere demands for repayment, even if persistent or harsh, cannot be elevated into criminal culpability. The suicide note and initial statements do not single out the Petitioner with the necessary particularity, the Petitioner has no criminal antecedents, there is no allegation of tampering or influence, Accused No.1 has already been granted bail, and the Petitioner offers to abide by any conditions this Court may impose, and denial of anticipatory bail would cause irreparable injury to his liberty, reputation and livelihood. Hence, it is urged to allow the Criminal Petition.

3. *Per contra,* Mr.A.Sai Rohith, learned Assistant Public Prosecutor, opposed the grant of bail to the Petitioner and submits that the material on record, complainant's statement, suicide note and inquest, disclose *prima facie* that the Accused Nos.1 to 4 pressured the deceased to repay heavy loans and repeatedly humiliated him, and though the investigation is ongoing the allegations against Accused No.2 cannot be lightly brushed aside. Further, Accused No.2 has so far evaded arrest which demonstrates a conscious attempt to frustrate the investigation and establishes that his custody may be necessary for securing attendance, preventing tampering with evidence and ensuring effective completion of inquiries, and therefore he is not entitled to anticipatory bail and urged to dismiss the Criminal Petition.

4. Heard the learned Counsel for the Petitioner and the learned Assistant Public Prosecutor. Perused the record.

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[1] (2025) 4 SCC 801

5. On perusal of the record, the investigation is yet to be completed and several witnesses remain to be examined, and in that factual matrix custodial interrogation may be required to elicit material particulars and to complete the probe. Moreover, the Petitioner/Accused No.2 is absconding and his present conduct, remaining untraceable and avoiding arrest, indicates deliberate evasion and non-cooperation with the investigating agency, thereby disentitling him to the discretionary relief of anticipatory bail.

6. Though the Petitioner pleads innocence and points to alleged vagueness in the complaint, the available record contains specific allegations of persistent harassment and pressure by the accused group which, read with the suicide note and related documents, furnish sufficient *prima facie* grounds to continue investigation without fetter.

9. Therefore, request for grant of pre-arrest bail to the Petitioner/Accused No.2 does not appear to be convincing or reasonable. Furthermore, importantly grant of pre-arrest bail to the Petitioner, is neither a license for commission of serious offence nor a shield or protection for having committed grave offences, as per the decisions of the Hon'ble Apex Court in **Gurbaksh Singh Sibbia v. State of Punjab**[2] and **Sushila Aggarwal v. State (NCT of Delhi)**[3]**.** There are no merits in the petition. The Petitioner/Accused No.2 is disentitled for grant of pre-arrest bail. Hence, the Criminal Petition is devoid of merit and is liable to be dismissed.

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[2] (1980) 2 SCC 565
[3] (2020) 5 SCC 1

10. In the result, the Criminal Petition is dismissed.

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

DR. Y. LAKSHMANA RAO, J

Date:20.07.2026
KMS

Whether the order is :
Speaking Yes/No / Reasoned Yes/No
Reportable Yes/No / Non-Reportable Yes/No