Date of reserved for orders : Nil
Date of pronouncement :15.07.2026
Date of uploading :

APHC010340852026

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

WEDNESDAY, THE 15th DAY OF JULY 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 5461/2026

Between:

MATTA SIVANARAYANA,, S/O. BURRABBAYI, AGE ABOUT 34 YEARS,R/O. PIDIMGOYYI VILLAGE,RAJAMAHENDRAVARAM RURAL AND MANDAL.,EAST GODAVARI DISTRICT.

...PETITIONER/ACCUSED

AND

THE STATE OF ANDHRA PRADESH, ,Rep. by its Public Prosecutor,High Court of Andhra Pradesh at Amaravathi

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused:

KADIYAM NEELAKANTESWARA RAO

Counsel for the Respondent/complainant:

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 for granting of pre-arrest bail in connection with Crime No.142 of 2026 of Prohibition & Excise Station, East Godavari District, was registered for the alleged offence punishable under Sections 7-B read with 8-A of the Andhra Pradesh Prohibition Act, 2020.

2. Sri Kadiyam Neelakanteswara Rao, the learned counsel for the petitioner, contends that the petitioner is the innocent of the alleged offence and he has been falsely implicated by the police. It is further submitted that the petitioner is the sole earning member of the family and, therefore, his incarceration would cause undue hardship to his dependents. The petitioner undertakes to strictly adhere to any conditions that may be imposed by this Court. In light of the foregoing submissions, learned counsel prays that the present petition be allowed in the interest of justice.

3. *Per contra*, Mr.A.Rohit, the learned Assistant Public Prosecutor, vehemently opposed the grant of pre-arrest bail to the petitioner, submitting that the investigation is still underway and several material witnesses remain to be examined. It is contended that if the petitioner is released on pre-arrest bail, there is a strong likelihood that he may abscond, thereby hampering the

ongoing investigation and evading the process of law. Hence, it is urged that the petition be dismissed.

4. Heard the learned counsel for the petitioner and the learned Assistant Public Prosecutor. Perused the record.

5. As seen from the record, by virtue of the Special Report dated 03.06.2026 prepared by the Prohibition and Excise officials, the petitioner has been arraigned as an accused. No similar adverse antecedents have been reported against the petitioner. It is alleged that 800 litres of F.J. wash were found concealed in the bushes. The learned counsel for the petitioner has placed on record certain medical documents to show that the petitioner's left kidney had been surgically removed. The learned counsel further submits that, owing to political rivalry, the petitioner has been falsely implicated in the present case. The petitioner is a permanent resident of East Godavari District and he has got fixed abode.

6. Considering the facts and circumstances of the case, the gravity and nature of the allegations leveled against the petitioner, the alleged role played by him in this case, this Court deems it fit to grant pre-arrest bail to the petitioner with the following conditions:

7. In the result, the Criminal Petition is allowed with the following conditions:

i. In the event of his arrest, the petitioner/Accused shall be enlarged on bail subject to his executing a bond for a

sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties for the like sum each to the satisfaction of the arresting police officials;

ii. The petitioner/Accused shall make himself available for investigation as and when required;

iii. The petitioner/Accused shall not cause any threat, inducement or promise to the prosecution witnesses

iv. The petitioner/Accused shall appear before the Station House Officer concerned once in a week i.e., on every Saturday between 10.00 a.m. and 5.00 p.m., till filing of the charge sheet.

v. The petitioner/Accused shall not leave the limits of the State of Andhra Pradesh without the express permission from the Station House Officer concerned.

vi. The Petitioner/Accused shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court.

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DR. Y. LAKSHMANA RAO, J

Date: 15.07.2026
RSI

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

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 5461 of 2026

Date: 15.07.2026
RSI