APHC010357262026

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

WEDNESDAY, THE 22nd DAY OF JULY 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 5764 of 2026

Between:

1. KOTHAKOTA BHARAT, S/O RANGANADHAM, AGED ABOUT 22 YEARS, OCCSTUDENT, R/O FAREEDPETA VILLAGE, ETCHERLA MANDAL, SRIKAKULAM DISTRICT-532410

...PETITIONER/ACCUSED

AND

1. THE STATE OF ANDHRA PRADESH, rep. by its Public Prosecutor, High Court of A.P.Amaravati

...RESPONDENT/COMPLAINANT

Petition under Section 437/438/439/482 of Cr.P.C and 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court pleased to grant anticipatory bail to the Petitioner in the event of his arrest in connection with Crime No. 277 of 2024 on the file of Etcherla Police Station, Srikakulam District on such terms and conditions and pass

Counsel for the Petitioner/accused:

1. P RAJKUMAR

Counsel for the Respondent/complainant:

1. PUBLIC PROSECUTOR

The Court made the following:

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 5764 of 2026

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.15 for granting of pre-arrest bail in connection with Crime No.277 of 2024 of Etcherla Police Station, Srikakulam District, registered for the alleged offence punishable under Sections 109 read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for brevity 'the BNS') and it was altered to Section 103(1) read with 3(5) of 'the BNS'.

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

3. Learned Coordinate bench of this Court, in Criminal Petition No. 1872 of 2026, dated 16.03.2026 dismissed his pre-arrest bail application. However, liberty was granted to surrender before the court concerned within stipulated time, but the Petitioner had not complied with the order. In this context, it is profitable to refer to the judgment of the Hon'ble Apex Court in **G.R. Ananda Babu v. State of Tamil Nadu**[1], wherein, at paragraph No. 6, it was held as under:

> *6.As a matter of fact, successive anticipatory bail applications ought not to be entertained and more so, when the case diary and the status report, clearly indicated that the accused (Respondent 2) is absconding and not cooperating with the investigation. The specious reason of change in circumstances cannot be invoked for successive anticipatory bail applications, once it is rejected by a speaking order and that too by the same Judge.*

[1] (2021) 16 SCC 725

4. Thus, in **G.R.Ananda Babu** *supra*, it was held that successive anticipatory bail applications are not maintainable when the accused is absconding and not cooperating with the investigation. A mere change in circumstances is not a valid ground once an earlier application has been rejected by a reasoned order. There are no merits in the petition. Hence, this Criminal Petition is liable to be dismissed.

5. 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: 22.07.2026

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