APHC010386892026

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

MONDAY, THE 21st DAY OF SEPTEMBER 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 6289/2026

Between:

R KRISHNA CHAITANYA, S/O R.V.RAMANA KUMAR, AGED ABOUT 38 YEARS, RESIDING AT FLAT NO.214, RADHESHYAM APARTMENT, TIRUPATHI, TIRUPATHI DISTRICT.

...PETITIONER/ACCUSED

AND

1. THE STATE OF ANDHRA PRADESH, THROUGH S.H.O., TIRUPATHI EAST PS, REP. BY PUBLIC PROSECUTOR, HIGH COURT OF AP AT AMARAVATHI.
2. D ARUN KUMAR, S/O. LATE D. NELLAKANTAMARAJU, AGED 42 YEARS, R/O. FLAT NO.518, BRUNDAVANAM APARTMENT, THIMMINAIDUPALEM, TIRUPATI RARAL MANDAL, TIRUPATI DISTRICT. RESPONDENT NO.2 IS IMPLEADED AS PER THE COURT ORDER DATED 03.08.2026 IN CRL.P.NO.6289 OF 2026.

...RESPONDENT/COMPLAINANT(S):

Counsel for the Petitioner/accused:

VMR LEGAL

Counsel for the Respondent/complainant(S):

1. MAHADEVA KANTHRIGALA
2. MEDAPATI SANTOSH REDDY
3. 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'), seeking to enlarge the petitioner/accused on bail in Crime No.329 of 2026 of Tirupati East Urban Police Station, Tirupati District, registered against the petitioner/accused for the offences punishable under Sections 318(4), 308(5), 126(2), 329(2) and 351(3) of the Bharatiya Nyaya Sanhita, 2023 (for brevity, 'the BNS').

2. The case of the prosecution is that the accused advanced Rs.4,50,000/- to the de facto complainant as a loan carrying interest at the rate of 5%, which the complainant claims to have repaid through PhonePe and in cash. Despite such repayment, the accused allegedly demanded further amounts and, on different occasions, wrongfully restrained and threatened the complainant, forcibly obtained his land documents, cheques, stamp papers and promissory notes, and, on 17.06.2026, allegedly trespassed into and forcibly locked his shop. The FIR was registered alleging the aforesaid acts arising out of the financial dispute between the parties.

3. Sri Venkatesh B. Reddy, the learned counsel for the petitioner, submits that the petitioner is innocent of the alleged offences and has been falsely implicated in the case. He is a law-abiding citizen and the sole earning member of his family. It is submitted that the petitioner has not committed any

offence and undertakes to strictly adhere to any conditions that may be imposed by this Court.

4. The learned counsel for the petitioner further submits that the complaint is a counter-blast to the statutory notice dated 27.04.2026 issued by the petitioner under Section 138 of the Negotiable Instruments Act, 1881 (for brevity 'the N.I.Act'), arising out of a purely monetary dispute. It is contended that there is an unexplained delay in lodging the complaint in respect of the alleged incidents of August and November, 2025. It is further submitted that the allegations are false, vague and exaggerated and are unsupported by any independent material or eyewitnesses. The learned counsel submits that the complaint has been lodged with an ulterior motive to harass and pressurize the petitioner and that the dispute is essentially civil in nature. Hence, it is urged that the petitioner may be enlarged on pre-arrest bail.

5. *Per contra*, Mr. A. Sai Rohit, the learned Assistant Public Prosecutor, vehemently opposed the grant of pre-arrest bail to the petitioner and submits that the allegations against the petitioner are serious in nature and disclose his involvement in the commission of the alleged offences. It is contended that the petitioner allegedly threatened the de-facto complainant, forcibly obtained his land documents, cheques and promissory notes, and criminally trespassed into his shop. It is further submitted that the investigation is still in progress and the allegations require thorough investigation. The delay in lodging the complaint and the alleged financial dispute are matters to be examined during

the course of investigation and cannot, at this stage, be a ground for granting pre-arrest bail. Hence, it is urged that the bail petition be dismissed.

6. Sri K.Mahadeva, the learned counsel appearing for Respondent No.2/de-facto complainant submits that, despite receiving repayment of the loan amount, the petitioner continued to demand additional amounts towards interest. It is contended that the petitioner wrongfully restrained and threatened the de-facto complainant and forcibly obtained his land documents, cheques, stamp papers and promissory notes. It is further submitted that the petitioner criminally trespassed into the shop of the de-facto complainant and forcibly locked the same.

7. Mr.M.Santosh Reddy, the learned Legal Aid Counsel for respondent No.2 submits that the allegations are supported by the statements of the complainant and other witnesses and require proper investigation. Hence, it is urged that the bail petition be dismissed.

8. Heard the learned counsel for the petitioner, the learned Assistant Public Prosecutor, the learned counsel for Respondent No.2/de-facto complainant and the learned Legal Aid Counsel for respondent No.2. Perused the material available on record.

9. As seen from the record, the petitioner and Respondent No.2/de-facto complainant are classmates and friends. In his complaint dated 20.06.2026, the de-facto complainant alleged that he borrowed an amount of Rs.4,50,000/- from the petitioner, his classmate and friend, in November, 2019, for his personal needs at P.K. Layout, Tirupati Town. It is further alleged that the

petitioner charged interest at the rate of Rs.5/- per month. The de-facto complainant claims to have repaid the said amount in instalments through PhonePe to the petitioner's PhonePe numbers, including an amount of Rs.2,29,500/- from August, 2020 to August, 2022, Rs.5,00,000/- from 2021 to 2023 and a further amount of Rs.4,50,000/- in instalments during November, 2025, apart from certain amounts allegedly paid in cash, totalling Rs.11,79,000/-.

10. It is further seen from the record that there have been long-standing financial transactions between the petitioner and Respondent No.2. The petitioner issued a legal notice dated 27.04.2026 to Respondent No.2, calling upon him to pay the dishonoured cheque amount of Rs.25,00,000/- within fifteen days, failing which the petitioner stated that he would be constrained to initiate proceedings under Section 138 of ‘the N.I.Act’. Except for the offence punishable under Section 308(5) of ‘the BNS’, the remaining alleged offences are punishable with imprisonment of less than seven years.

11. Considering the facts and circumstances of the case, the nature and gravity of allegations levelled against the petitioner/accused, this Court is inclined to enlarge the petitioner/accused on pre-arrest bail with some stringent conditions.

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

i. In the event of the arrest of the Petitioner, the petitioner/Accused shall be enlarged on bail by

executing a bond for a sum of Rs.25,000/-(Rupees Twenty Five Thousand Only) with two sureties for the like sum 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.

vii. The Petitioner/Accused shall surrender his passport, if any, to the Investigating Officer. If he claims

that he does not have passport, he shall submit affidavit to that effect to the Investigating Officer.

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DR. Y. LAKSHMANA RAO, J

Date: 21.09.2026
RSI

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 6289 of 2026

Date: 21.09.2026
RSI