APHC010423402026

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

MONDAY, THE 31st DAY OF AUGUST 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 6968/2026

Between:

1. NAGINENI SANKARAIAH, S/O. NARAIAH,AGED ABOUT 63 YEARS, OCC CULTIVATON,R/O. LEBAKUVARIPALLI VILLAGE, PULLAMPETA MANDAL,VATHALUR, TIRUPATHI DISTRICT.- 516107.
2. NAGINENI KOTESWARA RAO, SANKARAIAH,AGED ABOUT 34 YEARS, OCC PRIVATE EMPLOYEE,R/O. LEBAKUVARIPALLI VILLAGE, PULLAMPETA MANDAL,VATHALUR, TIRUPATHI DISTRICT.- 516107.

...PETITIONER/ACCUSED(S)

AND

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

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused(S):

KISHORE KUMAR KATARI

Counsel for the Respondent/complainant:

PUBLIC PROSECUTOR

The Court made the following:

ORDER:

The Criminal Petition has been filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity 'the BNSS'), seeking to enlarge the Petitioners/Accused Nos.1 and 2 on bail in Crime No.58 of 2026 of Pullampeta Police Station, Tirupati District, registered against the Petitioners/Accused Nos.1 and 2 herein for the offences punishable under Sections 109(1), 331(1) and 118(1) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for brevity 'the BNS').

2. Mr.Kishore Kumar Katari, the learned counsel for the petitioners, submits that the petitioners are innocent of the alleged offence and they have been falsely implicated by the police. It is further submitted that the petitioners are the sole earning members of the family and, therefore, their incarceration would cause undue hardship to their dependents. They are law-abiding citizens. The petitioners undertake to strictly adhere to any conditions that may be imposed by this Court. In light of the foregoing submissions, the learned counsel prays that the present petition be allowed in the interest of justice.

3. The learned counsel for the petitioners further submits that the petitioners had voluntarily surrendered before the learned Jurisdictional Magistrate and were remanded to judicial custody. During the period of their judicial custody, the police filed an application seeking their custodial

interrogation, pursuant to which the petitioners were taken into police custody for about three days. The learned Assistant Public Prosecutor confirms that the petitioners were taken into police custody for three days.

4. *Per contra*, Mr.A.Sai Rohit, the learned Assistant Public Prosecutor vehemently opposed the grant of bail to the petitioners, submitting that the investigation is still underway and several material witnesses remain to be examined. It is contended that if the petitioners are released on bail at this stage, there is a strong likelihood that they may abscond, thereby hampering the ongoing investigation and evading the process of law. In view of the foregoing submissions, it is urged that the petition be dismissed.

5. Heard the learned counsel for the petitioners and the learned Assistant Public Prosecutor. Perused the record.

6. As seen from the record, the petitioners are arraigned as Accused Nos.1 and 2. The petitioner/Accused No.1 is aged about 63 years. The allegation against him is that he instigated Accused No.2 to assault L.Ws.1 and 2 with a stick. L.Ws.1 and 2, who are husband and wife, allegedly sustained grievous injuries at the hands of Accused No.2.

7. Having regard to the nature and gravity of the allegations levelled against the petitioner/Accused No.1, this Court is inclined to enlarge him on bail, subject to certain stringent conditions.

i. The Petitioner/Accused No.1 shall be enlarged on bail subject to his executing a bond for a sum of Rs.10,000/-

(Rupees Ten Thousand only) with two sureties for the like sum each to the satisfaction of the learned III Additional District and Sessions Judge, Rajampet.

ii. The Petitioner/Accused No.1 shall appear before the Station House Officer concerned, on every Saturday in between 10:00 am and 05:00 pm, till filing of the charge sheet.

iii. The Petitioner/Accused No.1 shall not leave the limits of the State of Andhra Pradesh without prior permission from the Station House Officer concerned.

iv. The Petitioner/Accused No.1 shall not commit or indulge in commission of any offence while on bail.

v. The Petitioner/Accused No.1 shall cooperate with the investigating officer in further investigation of the case and shall make himself available for interrogation by the Investigating Officer as and when required.

vi. The Petitioner/Accused No.1 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.

8. With regard to the nature and gravity of the allegations levelled against the petitioner/Accused No.2, it is alleged that he caused severe and multiple

grievous injuries to L.Ws.1 and 2. As per the medical record, L.W.1 sustained three grievous injuries and one simple injury. L.W.2 sustained two injuries, out of which one is stated to be simple in nature. L.W.1 is aged about 65 years. So far, only five witnesses have been examined. The investigation is still in progress with regard to the alleged role played by the petitioner/Accused No.2. Therefore, at this juncture, this Court is not inclined to enlarge the petitioner/Accused No.2 on bail. Accordingly, there are no merits in the request of the petitioner/Accused No.2 and, insofar as the petitioner/Accused No.2 is concerned, the petition is dismissed.

9. In the result, the Criminal Petition is partly allowed.

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DR. Y. LAKSHMANA RAO, J

Date: 31.08.2026
RSI

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 6968 of 2026

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