IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

WEDNESDAY ,THE FIFTH DAY OF FEBRUARY

TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY

CRIMINAL PETITION NO: 598 OF 2025

Between:

1. Mungara Sobha Rani, W/o. Mungara Venkata Ramanaraju, aged about 47 Years, R/o. D.No.38/168-5-8-81, Chandravardhini Nagar, Near Pushpagiri School Road, Old Chinnachow, Kadapa City, YSR (Kadapa) District
2. Mungara Sai Vishnu, S/o. Mungara Venkata Ramanaraju, aged about 24 Years, R/o. D.No.38/168-5-8-81, Chandravardhini Nagar, Near Pushpagiri School Road, Old Chinnachow, Kadapa City, YSR (Kadapa) District

Petitioners/Accused 1 &2

AND

The State Of Andhra Pradesh, Represented by its Public Prosecutor, Through II Town Police Station, Proddatur, YSR (Kadapa) District. High Court of Andhra Pradesh.

Respondent

Petition under Section 482 of BNSS (438 of Cr.P.C.,) praying that in the circumstances stated in the affidavit filed in support of the Criminal Petition, the High Court may be pleased to grant anticipatory bail to the petitioners in the event of their arrest in F.I.R. No.333 of 2024, dated 26.11.2024 on the file of II Town Police Station, YSR (Kadapa) District

COUNSEL FOR THE PETITIONERS : **SRI. SHAIK MOHAMMED ISMAIL**

COUNSEL FOR THE RESPONDENT : **PUBLIC PROSECUTOR**

THE COURT MADE THE FOLLOWING ORDER

ORDER:-

This Criminal Petition, under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'the BNSS') has been filed on behalf of the petitioners/accused Nos.1 and 2 to grant anticipatory bail in connection with Crime No.333 of 2024 of II Town Police Station, Proddatur, YSR Kadapa District.

2. A case has been registered against the petitioners herein/accused Nos.1 and 2 and others for the offences punishable under Sections 318 (4), 308 (5) read with 3 (5) of the Bharatiya Nyaya Sanhitha, 2023 (for brevity 'BNS').

3. Brief facts of the case of prosecution are that, prior to 26.11.2024, accused Nos.1 to 6 developed acquaintance with *de facto* complainant *viz.* Mule Venkata Ramana Reddy @ Rama Rao and lured with their words that if he invests money in rice pulling, he would get huge amounts; that believing the words of accused, he gave an amount of Rs.1,37,00,000/- to the accused on different occasions and later, failed as promised by them and when the *de facto* complainant demanded them to return the said sum, accused were alleged to have put the *de facto* complainant in fear, created terror in his mind and forcibly alleged to have taken an amount of Rs.1,00,000/- from him. The case was reported to

police and a case in Crime No.333 of 2024 of II town Police Station, Proddatur, YSR Kadapa District was registered for the aforesaid offences and investigated into.

4. Learned counsel for the petitioners/accused Nos.1 and 2 would submit that there were financial disputes between the petitioners/accused Nos.1 and 2 and the *de facto* complainant and to settle the same, the *de facto* complainant lodged a false complaint as against the petitioners/accused Nos.1 and 2 and other accused. Hence, prays to grant pre-arrest bail to the petitioners/accused Nos.1 and 2.

5. Learned Assistant Public Prosecutor for State would submit that a sum of Rs.80,00,000/- was alleged to have been paid by the *de facto* complainant to the petitioners/accused Nos.1 and 2 and further, a sum of Rs.56,00,000/- was alleged to have been paid by the *de facto* complainant through his bank account and the transactions done by the *de facto* complainant *prima facie* prove the allegations against the petitioners/accused Nos.1 and 2. Hence, prays to dismiss the Criminal Petition.

6. Heard both sides. Perused the record.

7. A perusal of entire material on record goes to show that the aforesaid incident was said to have taken place in the month of May, 2024, where the accused were alleged to have

threatened the *de facto* complainant on the pretext of eliminating him and an amount of Rs.1,00,000/- was extorted from the *de facto* complainant. In pursuant to that, the *de facto* complainant filed a report before the Jalahalli Police Station, Bangalore city of Karnataka State with regard to the disputes between the petitioners/accused Nos.1 and 2 and the *de facto* complainant. Though the incident was alleged to have taken place in the month of May, 2024, the *de facto* complainant did not refer any of the circumstances that took place in the report filed before Jalahalli Police Station, Bangalore City. At a belated stage, the present report was filed on 26.11.2024 for the aforesaid offences.

8. There is any amount of ambiguity *prima facie* whether the case is made out as against the petitioners/accused Nos.1 and 2. A perusal of the material on record goes to show that the *de facto* complainant voluntarily parted with the amounts to the petitioners/accused Nos.1 and 2 and other accused for conducting business and when the accused did not return the amount, the *de facto* complainant has resorted in filing the present report as against the petitioners/accused Nos.1 and 2. There is any amount of ambiguity with regard to accusation made against the petitioners/accused Nos.1 and 2. Therefore, this Court is inclined

to grant anticipatory bail to the petitioners/accused Nos.1 and 2, on certain conditions.

9. Accordingly, in the event of the arrest of petitioners/ accused Nos.1 and 2 in the above crime, they shall be released on bail on their executing personal bond for a sum of Rs.25,000/- (Rupees twenty five thousand) each with two sureties for the like sum each to the satisfaction of the arresting police officials. Further, the petitioners/accused Nos.1 and 2 shall appear before the Station House Officer, concerned once in a week *i.e.* on every Saturday in between 10.00 a.m. and 2.00 p.m. till filing of the charge sheet and further, the petitioners/accused Nos.1 and 2 shall make themselves available for investigation as and when required and that the yshall not cause any threat, inducement or promise to the prosecution witnesses.

10. Accordingly, the Criminal Petition is allowed.

Sd/- N. NAGAMMA
ASSISTANT REGISTRAR

//TRUE COPY// **SECTION OFFICER**

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To,

1. The Station House officer, II Town Police Station, Proddatur, YSR (Kadapa) District.
2. One CC to SRI. SHAIK MOHAMMED ISMAIL Advocate [OPUC]
3. Two CCs to PUBLIC PROSECUTOR, High Court of A.P[OUT]
4. **One spare copy**

HIGH COURT

SRK,J

DATED:05/02/2025

BAIL ORDER

CRLP.No.598 of 2025

ALLOWED

