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

TUESDAY, THE TWENTY NINTH DAY OF APRIL
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 4061/2025

Between:

Mediate Srinvasa Rao **...PETITIONER/ACCUSED**

AND

The State Of Andhra Pradesh **...RESPONDENT/COMPLAINANT(S)**

Counsel for the Petitioner/accused:

N. RAVI PRASAD

Counsel for the Respondent/complainant(S):

PUBLIC PROSECUTOR

The Court made the following:

ORDER:

The Criminal Petition has been filed under Sections 480 and 483 of "Bharatiya Nagarik Suraksha Sanhita, 2023" (for brevity 'the BNSS'), seeking to enlarge the petitioner/Accused on bail in Cr.No.45 of 2025 of Karapa Police Station, Kakinada, registered against the petitioner/Accused herein for the offence punishable under Section 109 (1) of Bharatiya Nyaya Sanhita, 2023 (for brevity 'the BNS').

2. The case of the prosecution is that on 09.02.2025 at about 10.00 a.m., the petitioner hacked the victim with a knife; as a result the thumb of the victim was cut down.

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

4. Sri. N. Ravi Prasad, the learned counsel for the petitioner submits that the petitioner has not committed any offence; he is sole breadwinner of his family; he would abide by any conditions to be imposed by this Court; and urged to enlarge the petitioner on bail.

5. *Per contra*, Ms. P. Akila Naidu, the learned Assistant Public Prosecutor, opposed to enlarge the petitioner on bail, stating that a *prima facie* case was established against the petitioner and there are eye witnesses, who have seen while the petitioner was hacking the victim. It is submitted that in this case the investigation is not completed and some more witnesses have to be examined, and urged to dismiss the bail application.

6. As seen from the record, the petitioner has been in jail for the past 78 days. According to the prosecution, the petitioner was proceeding in an auto and, on seeing the victim in his shop, due to disputes, hacked

him. Intention plays a pivotal role in this case; whether he had the required intention or not to commit the offence alleged can only be considered at the time of trial.

7. In view of the period of the detention being undergone by the petitioner, the gravity of the case, and the facts and circumstances of the case, if certain stringent conditions are imposed while enlarging the petitioner on bail, the interest of justice would be sub served.

8. In the result, the criminal petition is allowed with the following conditions:

i. The petitioner shall be enlarged on bail subject to he executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only), with two sureties each for the like sum each to the satisfaction of the learned VII Judicial First Class Magistrate for Prohibition and Excise, Kakinada.

ii. The petitioner shall appear before the Station House Officer, Karapa Police Station, Kakinada, on every Saturday in between 10:00 am and 05:00 pm till the learned Court takes cognizance.

iii. The petitioner shall not leave the limits of the District without prior permission from the learned VII Judicial First Class Magistrate for Prohibition and Excise, Kakinada.

iv. The petitioner shall not directly or indirectly influence or threaten or meet the witnesses. The petitioner shall not commit or indulge in similar kind of offences.

v. The petitioner shall cooperate with the investigating officer in further investigation of the case and shall be available to the investigating officer as and when called by him.

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DR. Y. LAKSHMANA RAO, J

Date: 29.04.2025
RSI

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION No.4061 of 2025

Date: 29.04.2025

RSI