IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

THURSDAY ,THE TWENTY SEVENTH DAY OF MARCH

TWO THOUSAND AND TWENTY FIVE

:PRESENT:
THE HONOURABLE SRI JUSTICE K SURESH REDDY
CRIMINAL PETITION NO: 6311 OF 2024

Between:

Pillakathapu Chandra Sekhar, S/o Sambu Sivudu, Aged about 44 years, Occ. Business, R/o Cheemalapenta Post and Village, Pendimarry Mandal YSR Kadapa District.

Petitioner/Accused

AND

State of Andhra Pradesh, Through SHO, Kadapa I Town U/G Police Station, Rep. By its Public Prosecutor High Court of Andhra Pradesh at Amaravathi.

Respondent/Complainant

Petition under Section 482 of BNSS (438 of Cr.P.C.,) is filed praying that in the circumstances stated in the affidavit filed in support of the Criminal Petition, the High Court may be pleased to enlarge the Petitioner/Accused on Bail in the event of his arrest in connection with Crime No. 315 of 2018 of Kadapa I Town U/G Police Station, YSR Kadapa District

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the High Court order dated 14.10.2024, 13.11.2024, 06.12.2024 , 20.01.2025 ,27.01.2025 & 05.02.2025 made herein and upon hearing the arguments of SRI K SRINIVAS, Advocate for the Petitioner, PUBLIC PROSECUTOR for the Respondent and the Court made the following;

ORDER

APHC010390182024

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3239]**
(Special Original Jurisdiction)

THURSDAY, THE TWENTY SEVENTH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE K SURESH REDDY

CRIMINAL PETITION NO: 6311/2024

Between:

Pillakathapu Chandra Sekhar ...**PETITIONER/ACCUSED**

AND

State of Andhra Pradesh ...**RESPONDENT/COMPLAINANT**

Counsel for the Petitioner/accused:

1. K SRINIVAS

Counsel for the Respondent/complainant:

1. PUBLIC PROSECUTOR

The Court made the following:

ORDER:

As per the directions of My Lord the Hon'ble the Chief Justice, this criminal petition has been allotted to this Bench by notice dated 25.03.2025 and the same is treated as part of the roster effective from 26.03.2025.

2. The petitioner, who is accused in Crime No.315 of 2024 on the file of Kadapa I Town U/G Police Station, Kadapa District, filed the present application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita,

2023 (BNSS), seeking anticipatory bail. Said crime was registered for the offence punishable under Sections 308(5), 331(3), 305(a) r/w 3(5) of B.N.S.

3. Case of the prosecution is that the *de facto* complainant is running a Xerox shop situated at D.No.5/500 next to Kailas Printing Press, Munirao Street, Kadapa city and eking out his livelihood. The owner of the shop is none other than the elder brother of the *de facto* complainant. He has taken said shop for rent from his brother for the last 20 years and running a Xerox shop and job work. It is further alleged that there are disputes between the owner of the shop, who is the brother of the *de facto* complainant, and the petitioner. While so, on 01.07.2024 at about night time, the petitioner snatched the bike keys of the *de facto* complainant and cash of Rs.5,000/- and threatened him stating that his brother has to pay certain amount to him. The *de facto* complainant informed the same to his brother. Again on the night of 02.07.2024, the petitioner along with some others broke open the keys of the shop and having come to know, the *de facto* complainant went there and the petitioner and others ran away. Again on 03.07.2024 at about 07.00 A.M., the petitioner along with mini truck went to the shop of the *de facto* complainant and committed theft of 2 Lamination machines, 6 Xerox machines, 2 H.P. Laptops, 2 H.P. Desktops, and 2 H.P. Printers along with other material worth about Rs.1.00 lakh. The same has been reflected in the C.C. footage.

4. Learned counsel for the petitioner contends that there are certain disputes between the brother of the *de facto* complainant and the accused. The petitioner has already approached the competent civil court by filing suit

in O.S.No.108 of 2018 before the learned VI Additional District Judge, Kadapa. As such, he requests this Court to grant anticipatory bail to the petitioner.

5. On the other hand, the learned Additional Public Prosecutor opposed the bail application contending that right from the date of offence, the petitioner is absconding and he is not cooperating with investigation. He further contends that there is material i.e., C.C. footage available to establish the petitioner committing offence.

Be that as it may, as the crime was registered as early as on 09.07.2024 and as this Court has already granted interim protection, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions:

i) The petitioner / accused is directed to surrender before the Station House Officer, Kadapa I Town U/G Police Station, Kadapa District, on or before 10.04.2025. On such surrender, the Station House Officer, Kadapa I Town U/G Police Station, Kadapa District, is directed to release the petitioner / accused on bail on his executing a personal bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) with two sureties for the like sum each to the satisfaction of the Station House Officer, Kadapa I Town U/G Police Station, Kadapa District.

ii) Petitioner / accused shall make himself available for interrogation as and when required, and he 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 from disclosing such facts to the Court or to any police officer.

iii) Petitioner / accused is directed to appear before the Station House Officer, Kadapa I Town U/G Police Station, Kadapa District, once in a week i.e., on every Monday between 10.00 A.M. and 01.00 P.M. until further orders.

iv) Petitioner / accused is directed to cooperate with Investigating officer and he shall not tamper with the prosecution witnesses.

Accordingly, the Criminal Petition is allowed.

Sd/- K. TATA RAO

DEPUTY REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The VI Additional Sessions Judge, Kadapa
2. The Station House officer, Kadapa I Town U/G Police Station, YSR Kadapa District
3. One CC to SRI. K SRINIVAS Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR, High Court of A.P[OUT]
5. One spare copy

HIGH COURT

KSR,J

DATED: 27/03/2025

BAIL ORDER

CRLP.No.6311 of 2024

ALLOWED

