APHC010456132026

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

TUESDAY, THE 27th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 7609/2026

Between:

1. TUMMURU NAGARAJU, S/O. T. VENKATAIAH,AGED 24 YEARS, R/O. D.NO.2-75,POYYA VILLAGE, THOTTAMBEDU MANDAL,TIRUPATI DISTRICT.

...PETITIONER/ACCUSED No.2

AND

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

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused:

1. D PURNACHANDRA REDDY

Counsel for the Respondent/complainant:

1. PUBLIC PROSECUTOR

The Court made the following:

ORDER:

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 Petitioner/Accused No.2 on bail in Crime No.81 of 2026 of B.N.Kandriga Police Station, Tirupati District, registered for the alleged offence punishable under Section 109(1) of the Bharatiya Nyaya Sanhita, 2023 (for brevity, 'the BNS').

2. Heard learned counsel for the Petitioner and learned Assistant Public Prosecutor. Perused the record.

3. Mr. D. Purnachandra Reddy, learned Counsel for the Petitioner, submits that the Petitioner is innocent of the alleged offence and has been falsely implicated by the police. It is further submitted that the Petitioner is the sole earning member of the family and, therefore, his incarceration would cause undue hardship to his dependents. The Petitioner undertakes to strictly adhere to any conditions that may be imposed by this Court. Hence, it is urged to allow the Criminal Petition.

4. *Per contra*, Mr.A.Sai Rohith, the learned Assistant Public Prosecutor vehemently opposed the grant of bail to the Petitioner, submitting that the investigation is still underway and several material witnesses remain to be examined. It is contended that if the Petitioner is released on bail at this stage, there is a strong likelihood that he may abscond, thereby hampering the

ongoing investigation and evading the process of law and urged to dismiss the Criminal Petition.

5. As seen from the record, the Petitioner is arraigned as Accused No.2 in this case. Even though the Petitioner has been in judicial custody for the past 92 days, the Charge Sheet has not yet been filed. The Petitioner was arrested on 27.07.2026. The Petitioner's name is not cited in the list of accused in the Information Report submitted by the de-facto complainant to the police. The allegation against the Petitioner/Accused No.2 is that he instigated Accused No.1, who is stated to be the paramour of Accused No.2. The injured person is the son of the de-facto complainant, and Accused No.1 is the wife of the injured. So far, ten witnesses have been examined. There are strained relations between Accused No. 1 and the injured, as Accused No.1 allegedly slit the throat of her husband with a blade.

6. The Petitioner is a permanent resident of Tirupati District. He has got fixed abode. If the Petitioner is enlarged on bail, subject to stringent conditions, there is no likelihood of him interfering with the investigation, threatening witnesses, or tampering with evidence.

7. Having regard to the facts and circumstances of the case, the nature and gravity of the allegations levelled against the Petitioner/Accused No.2, and the period of incarceration beyond the statutory period, this Court is inclined to enlarge the Petitioner on bail, subject to certain stringent conditions.

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

i. The Petitioner/Accused No.2 shall be enlarged on bail subject to him executing a 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 learned Additional Junior Civil Judge, Srikalahasti.

ii. The Petitioner/Accused No.2 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.2 shall not leave the limits of the State of the Andhra Pradesh without prior permission from the Station House Officer concerned.

iv. The Petitioner/Accused No.2 shall not commit or indulge in commission of any offence in future.

v. The Petitioner/Accused No.2 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.2 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 No.2 shall surrender his passport, if any, to the Investigating Officer, if he claims that he does not have passport, he shall submit an affidavit to that effect before the Investigating Officer.

DR. Y. LAKSHMANA RAO, J

Date: 27.10.2026
PRA

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 7609 of 2026

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PRA