APHC010460202026

IN THE HIGH COURT OF ANDHRA PRADESH

AT AMARAVATI

TUESDAY, THE 27th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 7676 OF 2026

Between:

1. Malla Yugandhar, S/o M. Guravaiah, Aged about 37 years, Occ Agriculture, R/o D.No.1-21, Ravillavarikandriga Village, Penumallam, Yerpedu Mandal, Tirupati District.
2. Malla Guravaiah, S/o M. Venkataswamy, Aged about 67 years, Occ Agriculture, R/o D.No.1-41, Ravillavarikandriga Village Yerpedu Mandal, Tirupati District.
3. Devineni Gayathri, W/o M. Yugandhar, Aged about 30 years, Occ Agriculture, R/o D.No.1-21, Ravillavarikandriga Village, Penumallam, Yerpedu Mandal, Tirupati District,
4. Malla Yasodhamma, W/o M. Guravaiah, Aged about 61 years, Occ Agriculture, R/o D.No.1-41, Ravillavarikandriga Village Yerpedu Mandal, Tirupati District.

...Petitioners/Accused Nos.1 to 4

AND

1. The State of Andhra Pradesh, Station House Officer, Yerpedu Police StationTirupati District, Represented by its Public Prosecutor, High Court of Andhra Pradesh at Amaravathi.

...Respondent/Complainant

2. Malla Krishnaiah, S/o. Venkataswamy, aged about 61 years, Occ.Agriculture, R/o.D.No.1-41, Ravilavarikandriga Village, Yerpedu Mandal, Tirupati District.

Respondent No.2 is impleaded as per the Court order dated 25.09.2026 in I.A.No.1 of 2026 in Crl.P.No.7676 of 2026.

...Respondent/Complainant

Petition under Section 482 of BNSS is filed praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to Grant Anticipatory Bail to the Petitioners / Accused Nos. 1 to 4 in the event of their arrest, in connection with FIR No. 103/2026 of Yerpedu Police Station, directing their release on bail in the event of their arrest by the Respondent Police, subject to any conditions this Hon'ble Court imposes;

The Petition coming on for hearing, upon perusing the Petition and the memorandum of grounds of criminal petition and upon hearing the arguments of Sri D.V.Sasidhar, Counsel for the Petitioners and Public Prosecutor for Respondent No.1, the Court made the following;

ORDER:

The Criminal Petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity, 'the BNSS') by the petitioners/Accused Nos.1 to 4, seeking grant of pre-arrest bail in connection with Crime No. 103 of 2026 of Yerpedu Urban Police Station, Tirupati District, registered for the alleged offences punishable under Section 109(1) read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for brevity, 'the BNS').

2. Mr. D.V. Sasidhar, learned counsel for the petitioners, submits that the petitioners are innocent of the alleged offences and have been falsely implicated by the police. It is further submitted that the petitioners are the sole earning members of the family, and therefore, if they are incarcerated,

it would cause undue hardship to their dependants. They are law-abiding citizens.

3. The learned counsel for the petitioners further submits that petitioner No.2/Accused No.2 herein lodged a complaint in Crime No. 234 of 2021 on the file of Yerpedu Police Station for the offences punishable under Sections 307, 326, and 323 read with Section 34 of the Indian Penal Code, 1860 (for brevity, 'the IPC') against the de-facto complainant and his family members, three in number. The case is coming up for trial before the learned Additional Junior Civil Judge, Srikalahasti. As the petitioners did not agree to a compromise with the de-facto complainant and other persons who are accused in Crime No.234 of 2021, which is a serious offence, the de-facto complainant hatched a plan and foisted a false complaint against the petitioners. The allegations are false. The petitioners have not committed any offence. The petitioners are ready to abide by any conditions imposed by this Court for the grant of pre-arrest bail. Hence, it is urged to grant pre-arrest bail to the petitioners.

4. *Per contra*, Mr. A. Sai Rohith, learned Assistant Public Prosecutor, and Mr. K. Ranga Srinivas, learned Legal Aid Counsel for respondent No. 2, vehemently opposed the grant of pre-arrest bail to the petitioners and submitted that there are specific overt acts attributed against the petitioners and the investigation is at a nascent stage. If pre-arrest bail is granted to

the petitioners, they may interfere with the process of investigation and threaten the witnesses. Hence, it is urged to dismiss the petition.

5. Heard the learned counsel for the petitioners, the learned Assistant Public Prosecutor, and the learned Legal Aid Counsel for respondent No. 2. Perused the record.

6. As seen from the record, against the de-facto complainant and three other persons, petitioner No.2/Accused No.2 has lodged a report which was registered as a case in Crime No. 234 of 2021 on the file of Yerpedu Police Station for the offences punishable under Sections 307, 326, and 323 read with Section 34 of 'the IPC'. In that case, the de-facto complainant and some of the accused suffered grievous injuries. In the complaint lodged by respondent No.2 before the Station House Officer, Yerpedu Police Station, which was registered as a case in Crime No.103 of 2026 for the offence punishable under Section 109(1) read with Section 3(5) of 'the BNS', there are specific overt acts attributed against petitioner Nos.1 and 2/Accused Nos.1 and 2 that they have caused bleeding injuries with a stick and a knife respectively on the body of the de-facto complainant and his wife. The incident took place on 07.03.2026, but the complaint was filed on 29.06.2026. There is a delay of nearly four months in lodging the complaint. The injuries suffered are simple in nature.

7. In view of the specific overt acts attributed against the petitioners/Accused Nos.1 and 2, this Court is not inclined to grant pre-arrest bail to the petitioners/Accused Nos.1 and 2, as it would amount to giving a shield, or protection or license to the petitioners/Accused Nos.1 and 2 against whom specific allegations have been made, as per the judgments of the Hon'ble Apex Court in **Gurbaksh Singh Sibbia v. State of Panjab**[1] and **Sushila Aggarwal v. State of (NCT of Delhi)**[2].

8. Considering the facts and circumstances of the case, as there are specific overt acts attributed against petitioner Nos.1 and 2/Accused Nos.1 and 2, this Court is not inclined to enlarge petitioner Nos.1 and 2/Accused Nos.1 and 2 on pre-arrest bail at this stage. Hence, the Criminal Petition in so far as it relates to petitioner Nos.1 and 2/Accused Nos.1 and 2 is dismissed.

9. In so far as petitioner Nos.3 and 4/Accused Nos.3 and 4 are concerned, the allegations against them are omnibus in nature. Having regard to the facts and circumstances of the case, this Court is inclined to grant pre-arrest bail to petitioner Nos.3 and 4/Accused Nos.3 and 4, subject to the following stringent conditions:

i. In the event of their arrest, the petitioner Nos.3 and 4/Accused Nos.3 and 4 shall be enlarged on bail

---

[1] (1980) 2 SCC 565
[2] (2020) 5 SCC 1

subject to their executing a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) each with two sureties each for the like sum each to the satisfaction of the arresting police officials;

ii. The petitioner Nos.3 and 4/Accused Nos.3 and 4 shall make themselves available for investigation as and when required;

iii. The petitioner Nos.3 and 4/Accused Nos.3 and 4 shall not cause any threat, inducement or promise to the prosecution witnesses

iv. The petitioner Nos.3 and 4/Accused Nos.3 and 4 shall appear before the Station House Officer concerned once in a week i.e., on every Saturday between 10.00 a.m. and 5.00 p.m., till filing of the charge sheet.

v. The petitioner Nos.3 and 4/Accused Nos.3 and 4 shall not leave the limits of the State of Andhra Pradesh without the express permission from the Station House Officer concerned.

vi. The petitioner Nos.3 and 4/Accused Nos.3 and 4 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 Nos.3 and 4/Accused Nos.3 and 4 shall surrender their passports, if any, to the Investigating Officer. If they claim that they do not have passports, they shall submit affidavits to that effect to the Investigating Officer.

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

SD/- U.SRIDEVI
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The XII Additional District & Sessions Judge Court, Srikalahasti.
2. The Station House Officer, Yerpedu Police Station Tirupati District.
3. One CC to Sri. D.V.Sasidhar, Advocate [OPUC]
4. One CC to Sri. Kondeti Ranga Srinivas, Advocate [OPUC]
5. Two CCs to Public Prosecutor, High Court of AP [OUT]
6. One spare copy

HIGH COURT

Dr.YLR,J

DATED:27/10/2026

ORDER

CRLP NO. 7676 OF 2026



PARTLY ALLOWED