APHC010467372026

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

THURSDAY, THE 12th DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 7818/2026

Between:

1. CHIMBILI VIRUPAKSHA CHOWDARY, S/O CHIMBILI ASWARTHA NAIDU AGED ABOUT 40 YEARS, OCC AGRICULTURER/O D.NO.1/642, TADIPATRI TOWN,ANANTAPURAMU DISTRICT.
2. CHIMBILI SUBBARATNAMMA, W/O CHIMBILI ASWARTHA NAIDU AGED ABOUT 75 YEARS, OCC HOUSEWIFER/O D.NO.1/642, TADIPATRI TOWN,ANANTAPURAMU DISTRICT.
3. CHIMBILI APARNA, D/O CHIMBILI ASWARTHA NAIDU,AGED ABOUT 37 YEARS. MARRIED.WORKING AS SENIOR SOFTWARE ENGINEER,PRESENTLY RESIDING AT BANGALORE, KARNATAKA STATE.

...PETITIONER/ACCUSED(S)

AND

1. THE STATE OF ANDHRA PRADESH, ,BY SHO, MAHILA U.P.S ANANTAPURREP. BY PUBLIC PROSECUTOR,HIGH COURT OF AP AT AMARAVATHI.
2. M JHANSI, D/O. YODUPALLI VENKATA PATHI, AGED ABOUT 31 YEARS, OCC. HOUSEWIFE, R/O. PLOT NO.301, S.L.N. ENCLAVE, RAM NAGAR, ANANTAPUR - 515001. RESPONDENT NO.2 IS IMPLEADED AS PER THE COURT ORDER DATED 23.09.2026 IN CRL.P.NO.7818 OF 2026.

...RESPONDENT/COMPLAINANT(S):

Counsel for the Petitioner/accused(S):

1. P SRAVAN KUMAR REDDY

Counsel for the Respondent/complainant(S):

1. RAMALAKSHMANA REDDY SANEPALLI
2. PUBLIC PROSECUTOR

The Court made the following:
ORDER:

Criminal Petition has been filed under Sections 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity 'the BNSS'), seeking to grant pre-arrest bail to the Petitioners/Accused Nos.1 to 3 in Crime No.66 of 2026 of Mahila UPS Police Station, Ananthapuram, registered for the alleged offences punishable under Sections 85, 351(2), 115(2) and 108 read with 62 read with 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for brevity 'the BNS.,') and Sections 3, 4 of the Dowry Prohibition Act, 1961 (for brevity 'the D.P.Act.,').

2. Sri O. Manohar Reddy, learned Senior Counsel appearing on behalf of Sri P. Sravan Kumar Reddy, learned Counsel for the Petitioners, submits that Petitioner No.1 and Respondent No.2 got married on 23.08.2024 and lived happily for about one year. It is further submitted that Respondent No.2 alleged that she was subjected to cruelty and harassment by the Petitioners in connection with additional dowry and that she was beaten by them. The learned Senior Counsel draws the attention of this Court to the certificate issued by the doctor of Kavety Multispeciality Hospital, wherein it is mentioned that Respondent No.2, who was admitted to the hospital as a patient, complained of auditory hallucinations, delusions of control, delusions of

persecution, delusions of reference and suicidal ideation at the time of her admission. Petitioner No.2 is the mother of Petitioner No.1 and is aged about 78 years. Petitioner No.3 is the married sister of Petitioner No.1, who is living separately at Bengaluru and working as a Senior Software Engineer. The Petitioners are law-abiding citizens and undertake to strictly adhere to any conditions that may be imposed by this Court while granting pre-arrest bail. Hence, it is urged that the Criminal Petition be allowed.

3. *Per contra*, Mr. A. Sai Rohith, learned Assistant Public Prosecutor, and Sri S. Rama Lakshman Reddy, learned Legal Aid Counsel, in unison, submit that the allegations levelled against the Petitioners are well-founded. There are specific overt acts attributed to the Petitioners. The investigation is still at a nascent stage in view of the allegations of cruelty and harassment. Respondent No.2 allegedly attempted to commit suicide by jumping from a building, as a result of which she sustained severe injuries and suffered fractures to her legs. It is contended that if the Petitioners are enlarged on pre-arrest bail, there is a strong likelihood of their absconding, thereby hampering the ongoing investigation and evading the process of law. Hence, it is urged that the Criminal Petition be dismissed.

4. Heard learned counsel for the Petitioners, learned Assistant Public Prosecutor and learned Legal Aid Counsel appearing for Respondent No.2. Perused the record.

5. As seen from the record, Petitioner No.1 and Respondent No.2 are husband and wife. Their marriage was solemnized on 23.08.2024. As per the

version of Respondent No.2, they lived happily for about one year. She alleges that the Petitioners looked down upon her and treated her like a maidservant and that they did not accord sufficient respect to her on the ground that her family had not provided sufficient dowry at the time of marriage. She further alleges that Petitioner No.2, being her mother-in-law, instigated Petitioner No.1 to beat her.

6. Respondent No.2 further complains that, having suffered an abortion and being unable to bear the alleged beatings by her husband, she went to the terrace of the building with an intention to commit suicide and attempted to jump from the building. In the said incident, she sustained fractures to her legs. She was initially admitted to the Government Hospital, Tadipatri, and was subsequently shifted to Kavety Multispeciality Hospital, Anantapur, for better treatment. Her grievance is that neither Petitioner No.1, being her husband, nor Petitioner No.2, being her mother-in-law, nor Petitioner No.3, being her sister-in-law, showed any concern for her pitiable condition. She further alleges that the Petitioners did not allow her to resume her marital relationship with Petitioner No.1.

7. The Petitioners have filed a medical certificate dated 31.12.2005, issued by Dr. Garugu Balaji, Consultant Psychiatrist, Kavety Multispeciality Hospital, wherein it is mentioned that, at the time of her admission to the hospital, Respondent No.2 complained of auditory hallucinations, delusions of control, delusions of persecution, delusions of reference and suicidal ideation.

8. In this regard, it apposite to refer the judgment of the High Court of Allahabad, in **Mukesh Bansal v. State of U.P**[1] at paragraph Nos.48 and 49, held as under:

> *"48. Thus assesing the totality of the circumstances, object and the allegation of misuse of this piece of legislation in a shape of Section 498A IPC, the Court is proposing the safeguards after taking the guidace from the judgment of Hon'ble the Apex Court in the case of Social Action Forum for Manav Adhikar v. Union of India (Supra) keeping in view the growing tendency in the masses to nail the husband and all family members by a general and sweeping allegations.*
> *49. Thus, It is directed that:—*
> *(i) No arrest or police action to nab the named accused persons shall be made after lodging of the FIR or complaints without concluding the "Cooling-Period" which is two months from the lodging of the FIR or the complaint. During this "Cooling-Period", the matter would be immediately referred to Family Welfare Committe(hereinafter referred to as FWC) in the each district.*
> *(ii) Only those cases which would be transmitted to FWC in which Section 498-A IPC along with, no injury 307 and other sections of the IPC in which the imprisonment is less than 10 years.*
> *(iii) After lodging of the complaint or the FIR, no action should take place without concluding the "Cooling-Period" of two months. During this "Cooling-Period", the matter may be referred to Family Welfare Committee in each districts.*
> *(iv) Every district shall have at least one or more FWC (depending upon the geographical size and population of that district constituted under the District Legal Aid Services Authority) comprising of at least THREE MEMBERS. Its constitution and function shall be reviewed periodically by the District & Sessions Judge/Principal Judge, Family Court of that District, who shall be the Chairperson or Co-chairperson of that district at Legal Service Authority.*
> *(v) The said FWC shall comprise of the following members:—*
> *(a) a young mediator from the Mediation Centre of the district or young advocate having the practices up to five years or senior most student of Vth year, Government Law College or the State University or N.L.Us. having good academic track record and who is public spirited young man, OR;*
> *(b) well acclaimed and recognized social worker of that district having clean antecedant, OR;*
> *(c) retired judicial officers residing in or nearby district, who can devote time for the object of the proceeding OR;*
> *(d) educated wives of senior judicial or administrative officers of the district.*
> *(vi) The member of the FWC shall never be called as a witness.*
> *(vii) Every complaint or application under Section 498A IPC and other allied sections mentioned above, be immediately referred to Family Welfare Committee by the concerned Magistrate. After receiving the said complaint or FIR, the Committee shall summon the contesting parties along with their four senior elderly persons to have personal interaction and would try to settle down the issue/misgivings between them within a period of two months from its lodging.*

[1] 2022 SCC OnLine All 395

> *The contesting parties are obliged to appear before the Committee with their four elderly persons (maximum) to have a serious deliberation between them with the aid of members of the Committee.*
> *(viii) The Committee after having proper deliberations, would prepare a vivid report and would refer to the concerned Magistrate/police authorties to whom such complaints are being lodged after expiry of two months by inserting all factual aspects and their opinion in the matter.*
> *(ix) Continue deliberation before the Committee, the police officers shall themselves to avoid any arrest or any coercive action pursuant to the applications or complaint against the named accused persons. However, the Investigating Officer shall continue to have a peripheral investigation into the matter namely preparing a medical report, injury report, the statements of witnesses.*
> *(x) The said report given by the Committee shall be under the consideration of I.O. or the Magistrate on its own merit and thereafter suitable action should be taken by them as per the provision of Code of Criminal Procedure after expiry of the "Cooling-Period" of two months.*
> *(xi) Legal Services Aid Committee shall impart such basic training as may be considered necessary to the members of Family Welfare Committee from time to time(not more than one week).*
> *(xii) Since, this is noble work to cure abrasions in the society where tempos of the contesting parties are very high that they would melow down the heat between them and try to resolve the misgivings and misunderstanding between them. Since, this is a job for public at large, social work, they are acting on a pro bono basis or basic minimum honorarium as fixed by the District & Sessions Judge of every district.*
> *(xiii) The investigation of such FIRs or complaint containing Section 498A IPC and other allied sections as mentioned above, shall be investigated by dynamic Investigating Officers whose integrity is certified after specialized training not less than one week to handle and investigate such matrimonal cases with utmost sincerity and transparency.*
> *(xiv) When settlement is reached between the parties, it would be open for the District & Sessions Judge and other senior judicial officers nominated by him in the district to dispose of the proceedings including closing of the criminal case."*

9. The Hon'ble Apex Court in **Shivangi Bansal v. Sahib Bansal**[2], at paragraph No.26 held as under:

> *"26. The transfer petitions and special leave petitions are disposed of in terms of the above order. The guidelines framed by the High Court of Allahabad in the impugned judgment dated 13.06.2022 in Criminal Revision No. 1126 of 2022 vide paras 32 to 38, with regard to 'Constitution of Family Welfare Committees for safeguards regarding misuse of Section 498A, IPC shall remain in effect and be implemented by the appropriate authorities."*

10. Considering the facts and circumstances of the case, the nature and gravity of the allegations levelled against the Petitioners, this Court is inclined

[2] 2025 SCC OnLine SC 1494

to grant pre-arrest bail to the Petitioners/Accused Nos.1 to 3 with some stringent conditions.

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

> i. In the event of their arrest, the Petitioners/Accused Nos.1 to 3 shall be enlarged on bail subject to their executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties each for the like sum each to the satisfaction of the arresting police officials;
> ii. The Petitioners/Accused Nos.1 to 3 shall make themselves available for investigation as and when required;
> iii. The Petitioners/Accused Nos.1 to 3 shall not cause any threat, inducement or promise to the prosecution witnesses.
> iv. The Petitioners/Accused Nos.1 to 3 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 Petitioners/Accused Nos.1 to 3 shall not leave the limits of the State of Andhra Pradesh without the express permission from the Station House Officer concerned.
> vi. The Petitioners/Accused Nos.1 to 3 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 Petitioners/Accused Nos.1 to 3 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.

DR. Y. LAKSHMANA RAO, J

Date: 12.11.2026
KMS

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 7818 of 2026

Date: 12.11.2026

KMS