APHC010502762026

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

WEDNESDAY, THE 7th DAY OF OCTOBER 2026

**PRESENT**

**THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO**

**CRIMINAL PETITION NO: 8456/2026**

**Between:**

1. D BHAVANI SIVA, S/O DURGARAJU,AGED ABOUT 20 YEARS,R/O 19-10373, BRAHMANANDA REDDY COLONY PIDUGURALLA, GUNTUR DISTRUCT, AP. 522413

**...PETITIONER/ACCUSED**

**AND**

1. THE STATE OF ANDHRA PRADESH, THROUGH S.H.O, NUZVID RURAL POLICE STATION,KRISHNA DISTRICT,REP.BY PUBLIC PROSECUTOR,HIGH COURT OF ANDHRA PRADESH, AT AMARAVATI.
2. VICTIM GIRL, VICTIM GIRL

**...RESPONDENT/COMPLAINANT(S):**

**Counsel for the Petitioner/accused:**

1. AKULA VAMSI KRISHNA

**Counsel for the Respondent/complainant(S):**

1. GARUGU N V DURGA SAI EKAMBARAM
2. PUBLIC PROSECUTOR

**The Court made the following:**

**ORDER:**

The 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 on bail in Crime No.164 of 2026 of Nuzvid Rural Police Station, Eluru District, registered for the alleged offences punishable under Sections 78(2), 137(2) of the Bharatiya Nyaya Sanhita, 2023 (for brevity, 'the BNS') and Section 12 read with 11 of the Protection of Children from Sexual Offences Act, 2012 (for brevity, 'the POCSO Act').

2. Notice on Respondent No.2 has been served. As there was no representation for Respondent No.2, Mr. G.N.V.Durga Sai Ekambaram, learned Counsel, is appointed as legal aid counsel to Respondent No.2. The Secretary, High Court Legal Services Committee, is directed to issue necessary proceedings in this regard.

3. Heard the learned counsel for the Petitioner, the learned Assistant Public Prosecutor and the learned legal aid counsel for the Respondent No.2. Perused the record.

4. Mr. Akula Vamsi Krishna, the learned counsel for the Petitioner, submits that the Petitioner is innocent of the alleged offence and he has been falsely implicated by the police. He is a law-abiding citizen. 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.

5. *Per contra*, Mr.A.Rohith, the learned Assistant Public Prosecutor and Mr. G.N.V.Durga Sai Ekambaram, learned legal aid Counsel for the Respondent No.2 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. Hence, it is urged to dismiss the Criminal Petition.

6. As seen from the record, based on the complaint lodged by the de-facto complainant, a case in Crime No.164 of 2026 of Nuzvid Rural Police Station, Krishna District, was registered for the alleged offences punishable under Sections 78(2) and 137(2) of 'the BNS' and Section 12 read with Section 11 of 'the POCSO Act'. The Petitioner is arraigned as Accused in this case. The Petitioner is at impressionable age of 20 years, while the victim girl is aged 15 years. It is alleged that the Petitioner, under the guise of love, took away the victim girl from the custody of her parents. The Petitioner was apprehended on 10.09.2026 and has been in judicial custody for the past 27 days. So far, seven witnesses have been examined. Except for filing of the Charge Sheet, the remaining part of the investigation has been completed.

7. Having regard to the facts and circumstances of the case, the nature and gravity of the allegations levelled against the Petitioner/Accused, this

Court is inclined to enlarge the Petitioner/Accused on bail, subject to the following stringent conditions.

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

i. The Petitioner/Accused shall be enlarged on bail subject to his executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties for the like sum each to the satisfaction of the learned I Additional Judicial Magistrate of First Class, Nuzvid.

ii. The Petitioner/Accused 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 shall not leave the limits of the State of Andhra Pradesh without prior permission from the Station House Officer concerned.

iv. The Petitioner/Accused shall not commit or indulge in commission of any offence in future.

v. The Petitioner/Accused 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 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 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 to the Investigating Officer.

**DR. Y. LAKSHMANA RAO, J**

Date: 07.10.2026
PRA

**THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO**

**CRIMINAL PETITION NO: 8456 of 2026**

Date: 07.10.2026
PRA