APHC010503132026

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

FRIDAY, THE 6th DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 8471/2026

Between:

1. MOGILIGUNTA RAVI ALIAS CHINA RAVI, S/O. POLAIAH, AGED ABOUT 40 YEARS,R/O. CHINTHAVARAM KOTHAPALEM VILLAGE,CHINTHAVARAM POST, CHILLAKURU MANDAL,SPSR NELLORE DISTRICT.

2. MOGILIGUNTA RAVI ALIAS PEDDA RAVI, S/O. POLAIAH, AGED ABOUT 52 YEARS,R/O. CHINTHAVARAM KOTHAPALEM VILLAGE,CHINTHAVARAM POST, CHILLAKURU MANDAL,SPSR NELLORE DISTRICT.

...PETITIONER/ACCUSED(S)

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PUBLIC PROSECUTOR,HIGH COURT OF JUDICATURE OFANDHRA PRADESH AT AMARAVATHI

2. VENKATA RAMAIAH MOGILIGUNTA, S/O. LATE CHINNA MALLAIAH, AGED ABOUT 48 YEARS,OCC LABOUR, R/O.

...RESPONDENT/COMPLAINANT(S):

Counsel for the Petitioner/accused(S):

HARINATH REDDY SOMA

Counsel for the Respondent/complainant(S):

1. BAGGI SRI KAMAL

2. PUBLIC PROSECUTOR

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 and 2, seeking grant of pre-arrest bail in connection with Crime No.107 of 2026 of Chillakur Police Station, SPSR Nellore District, registered for the alleged offences punishable under Sections 320(4), 115(2) read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for brevity, 'the BNS').

2. Mr. Harinath Reddy Soma, 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 their respective families and, therefore, their incarceration would cause undue hardship to their dependants. They are law-abiding citizens.

3. The learned counsel for the petitioners further submits that civil disputes are pending between the petitioners and Respondent No.2. The petitioners undertake to strictly adhere to any conditions that may be imposed by this Court. In light of the foregoing submissions, the learned

counsel prays that the present petition be allowed in the interest of justice.

4. *Per contra*, Mr. A. Sai Rohith, learned Assistant Public Prosecutor, and Mr. Baggi Srikamal, learned Legal Aid Counsel for Respondent No.2, vehemently oppose the grant of pre-arrest bail to the petitioners on the ground that specific overt acts have been attributed to them by the de-facto complainant. They further submit that, if the petitioners are enlarged on pre-arrest bail, they may not cooperate with the Investigating Officer and may evade the process of law. Therefore, they pray that the petition be dismissed.

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, the allegation of Respondent No.2 is that the petitioners, along with another person, trespassed into their house and assaulted Respondent No.2 with their hands and legs on the face and rib regions, causing bleeding injuries. Specific overt acts have been attributed to the petitioners, and the de-facto complainant is stated to have sustained grievous injuries.

7 In view of the specific overt acts attributed against the petitioners, this Court is not inclined to grant pre-arrest bail to the petitioners, as it

would amount to giving a shield, or protection or license to the petitioners who had allegedly caused severe injuries to the victim, 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. In the result, the Criminal Petition is dismissed.

As a sequel, Miscellaneous petitions, if any pending, shall stand closed.

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DR. Y. LAKSHMANA RAO, J

Date: 06.11.2026
RSI

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

103

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION No.8471 of 2026

Date:06.11.2026

RSI