APHC010503602026

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

THURSDAY, THE 29th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 8485/2026

Between:

BOYA BALANJANEYULU ALIAS BALU, S/O. B. GIDDAIAH,AGED ABOUT 30 YEARS, OCCR/O. D.NO. 50/348 H 13, K.P.N.R. COLONY,B-CAMP, KURNOOL TOWN, KURNOOL DISTRICT, ANDHRA PRADESH.

...PETITIONER/ACCUSED

AND

1. THE STATE OF ANDHRA PRADESH, REPRESENTED BY ITS PUBLIC PROSECUTOR,THROUGH KURNOOL III TOWN POLICE STATION,KURNOOL DISTRICT A.P.HIGH COURT OF ANDHRA PRADESH.
2. CHAKALI SAIKUMAR, S/O. C. CHINNA SOMANNA,AGED ABOUT 29 YEARS, OCC SUPERVISOR AT SRI BALAJI YASHODAHOSPITAL, KURNOOL,R/O. H.NO. B/B-40, B-CAMP, KURNOOL TOWN,KURNOOLDISTRICT, ANDHRAPRADESH.

...RESPONDENT/COMPLAINANT(S):

Counsel for the Petitioner/accused:

SOMISETTY GANESH BABU

Counsel for the Respondent/complainant(S):

1. PUBLIC PROSECUTOR
2. KURAVATI LENIN BABU

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 petitioner/Accused No.1, seeking grant of pre-arrest bail in connection with Crime No.257 of 2026 of Kurnool III Town Police Station, Kurnool District, registered for the alleged offences punishable under Sections 115(2), 118(1), 351(2) read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for brevity, "the BNS").

2. Mr.Somisetty Ganesh Babu, learned counsel for the petitioner, submits that the petitioner is innocent of the alleged offences 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 dependants. He is a law-abiding citizen.

3. The learned counsel for the Petitioner further submits that the Petitioner belongs to an opposing political party and has not committed any offence. Whatever cases are pending against the Petitioner, appropriate relief has been granted to him in those cases. The Petitioner undertakes 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. K. Lenin Babu, learned Legal Aid Counsel for Respondent No.2, vehemently oppose the grant of pre-arrest bail to the Petitioner on the ground that specific overt acts have been attributed to him by the de-facto complainant. They further submit that, if the Petitioner is enlarged on pre-arrest bail, he 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 Petitioner, 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 de-facto complainant, in his complaint, alleged that the Petitioner and others attacked him with a stick and beat him on his hands. The Petitioner also allegedly struck the de-facto complainant on his cheek, as a result of which his teeth was dislocated. Further, the Petitioner and others allegedly beat him with a stone on his right hand and left leg. Specific overt acts have been attributed to the Petitioner, and the de-facto complainant sustained grievous injuries.

7. In view of the specific overt acts attributed against the petitioner, this Court is not inclined to grant pre-arrest bail to the petitioner, as it would amount to giving a shield, or protection or license to the petitioner 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.

DR. Y. LAKSHMANA RAO, J

Date: 29.10.2026
RSI

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

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THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION No.8485 of 2026

Date:29.10.2026

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