APHC010506302026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI

FRIDAY, THE 23rd DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SMT JUSTICE SUNITHA GANDHAM

CRIMINAL PETITION NO: 8536 OF 2026

Between:

1. Nalluri Bhaskara Rao, S/o. Lakshmikanth, Aged about 51 years, Occ Business, R/o.D.No. 16/287, Balaji Theatre Road, Near Basavaiah Kalyna Mandapam, Satyanarayanapuram, Gudivada, Krishna District.
2. Sanku Jayalakshmi, W/o.Ramana, Aged 59 years, Occ:Housewife, R/o.D.No.2-56/32/1, Chanda Naik Thanda, near Ayyappa Society, Khanapur, Madhapur, Shek City, Hyderabad.
3. Kunada Hemalatha, W/o.Chalamaiah, Aged about 55 years, Occ Housewife, R/o.D.No.9-146, Kamsalipalem Village, Tallapalem Panchayat, Machilipatnam Mandal, Krishna District.

...Petitioner/Accused No.1 to 3

AND

1. The State of Andhra Pradesh, Rep. through Bhimavaram I Town Police Station, Rep.by Public Prosecutor.

...Respondent/Complainant

2. Akula Hema Kumari, W/o. Dhananjaya Rao, aged about 37 years, Occ. Housewife, R/o. Opp: 4 seasons apartments, Bookavaripalem, Bhimavaram I - Town, Bhimavaram, West Godavari - 534201. **(Respondent No.2 is impleaded as per the Court order dated 08.10.2026 in I.A.No.1 of 2026 in Crl.P.No.8536 of 2026.)**

...Respondents

Petition under Sections 480 & 483 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to enlarge the Petitioners/Accused No.1 to 3 on

bail in Crime No.181/2026 on the file of Bhimavaram I Town Police Station, Guntur District.

The Petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of SRI B V ANJANEYULU Counsel for the Petitioners, and of PUBLIC PROSECUTOR, for the Respondent No.1, the Court made the following

THE HONOURABLE SMT JUSTICE SUNITHA GANDHAM

CRIMINAL PETITION NO: 8536/2026

ORDER:

This Criminal Petition has been filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'the BNSS'), seeking to enlarge the petitioners/Accused Nos. 1 to 3 on bail in connection with Crime No. 181 of 2026 of I Town Police Station, Bhimavaram, registered for the alleged offences punishable under Sections 118(1), 115(2), 329(4) and 351(2), read with Section 3(5), of the Bharatiya Nyaya Sanhita, 2023 (for short, 'the BNS').

2. Heard learned counsel for the petitioners and the learned Assistant Public Prosecutor. Perused the record.

3. Sri B. V. Anjaneyulu, learned counsel for the petitioners, submits that the petitioners have been in judicial custody for the past 45 days. He further submits that the investigation has been completed, the statements of all witnesses have been recorded, and the charge sheet has been filed for the offences punishable under Sections 118(1), 115(2), 329(4) and 351(2), read with Section 3(5), of the BNS. The petitioners are permanent residents of Gudivada, Hyderabad and Machilipatnam, respectively. He also submits that the case arose out of matrimonial disputes between Accused No. 1 and the de facto complainant, and therefore prays that the Criminal Petition be allowed.

4. Per contra, Ms. P. Akhila Naidu, learned Assistant Public Prosecutor, opposed to grant of bail on the ground that respondent No. 2 sustained grievous injuries and that the case also attracts the offence punishable under Section 118(2) of the BNS and though the investigation has been completed and the charge sheet has been filed, it has not yet been taken on file.

5. A perusal of the record shows that, basing on the report of the respondent No.2, a case in crime No.181 of 2026 was registered for the offences under Sections 118(1), 115(2), 329(4) and 351(2), read with Section 3(5), of the BNS, accused No. 1 is the husband of Respondent No. 2, while Accused Nos. 2 and 3 are her sisters-in-law. The record further indicates that Respondent No. 2 sustained grievous injuries.

6. At this stage, it is not appropriate to examine the entire merits of the rival contentions. According to learned counsel for the petitioners, since 45 days, they have been languishing in judicial custody. The learned Assistant Public Prosecutor confirms that the charge sheet has been filed and it is yet to be registered. Learned counsel for the petitioners also submits that Petitioner Nos. 2 and 3 are women residing at Hyderabad and Machilipatnam, respectively, and that the allegations against the petitioners are general in nature.

7. Further, it is settled principle of law that pre-trial incarceration makes justification depending upon the offences, heinous nature, term of the sentence prescribed in the statue for such a crime, probability of the accused fleeing from justice, tampering the investigation, criminal history of the accused, and doing away with the victims and witnesses and further, the court is under an obligation to maintain balance between all stake holders and safe guard the interests of the victim, accused, society, and the state.

8. Having considered the facts and circumstances of the case, including the period of judicial custody and the submission that the investigation has been completed and the charge sheet filed, and bearing in mind the principle that personal liberty must be balanced against the interests of justice, this Court is of the view that the petitioners may be enlarged on bail, subject to the following conditions.

9. In the result, the Criminal Petition is allowed and the petitioners/Accused Nos. 1 to 3 shall be enlarged on bail on execution of self bond for Rs. 10,000/- (Rupees ten thousand only) each with two sureties for the like sum each, to the satisfaction of the learned II Additional Judicial Magistrate of First Class, Bhimavaram and they shall abide the conditions contemplated under Section 480 of the BNSS.

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

SD/-M.SRINIVAS
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The II Additional Civil Judge (Junior Division)-cum-II Additional Judicial Magistrate of First Class, Bhimavaram District, West Godavari District
2. The Superintendent, District Sub-Jail, Bhimavaram, West Godavari District
3. The Station House Officer, Bhimavaram I Town Police Station, West Godavari District
4. One CC to SRI. B V ANJANEYULU Advocate [OPUC]
5. Two CCs to PUBLIC PROSECUTOR, High Court of Andhra Pradesh [OUT]
6. One spare copy

HIGH COURT

SUN,J

DATED:23/10/2026

BAIL ORDER

CRLP NO. 8536 OF 2026

ALLOWED

