APHC010516432026

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

THURSDAY, THE 8th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION Nos: 8678 & 8553 of 2026

Crl.P.No.8678 of 2026

Between:

1. MUDIYA GOVINDU NAIK, S/O. LATE NARAYANA NAIK, AGED ABOUT 75 YEARS, OCC AGRICULTURE,R/O. D.NO. 5-27, MADIGUBBA THANDA, ATMAKUR MANDAL, ANANTHAPURAMU DISTRICT - 515751
2. REKE LAXMANNA NAIK ALIAS PALTHYA LEKSHMANNA, S/O. P. REKA NAIK,AGED ABOUT 48 YEARS, OCC AGRICULTURE, R/O. D.NO. 5-12, MADIGUBBA THANDA, ATMAKUR MANDAL, ANANTHAPURAMU DISTRICT - 515751

...PETITIONER/ACCUSED(S)

AND

1. THE STATE OF ANDHRA PRADESH, Rep. by its Public Prosecutor, High Court of Andhra Pradesh at Amaravati.Through S.H.O, Atmakur PS,Anantapur District

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused(S):

1. K NARSI REDDY

Counsel for the Respondent/complainant:

1. PUBLIC PROSECUTOR

Crl.P.No.8553 of 2026

Between:

1. M LAKSHMINARAYANA NAIK, S/O. M. GOVINDU NAIK, AGED ABOUT 43 YEARS, OCC 108 AMBULANCE DRIVER,R/O. D.NO. 5-27, MADIGUBBA THANDA,ATMAKUR MANDAL, ANANTHAPURAMU DISTRICT - 515751
2. M SAROJAMMA ALIAS NENAVATH SAROJAMMA, W/O. M. GOVINDU NAIK, AGED ABOUT 31 YEARS, OCC AGRICULTURE,R/O. D.NO. 5-27, MADIGUBBA THANDA,ATMAKUR MANDAL, ANANTHAPURAMU DISTRICT - 515751
3. K CHANDRA NAIK, S/O. K. NANDHA NAIK, AGED ABOUT 33 YEARS, OCC AGRICULTURE,R/O. D.NO. 2-125, PAMPANUR THANDA,ATMAKUR MANDAL, ANANTHAPURAMU DISTRICT - 515751

...PETITIONER/ACCUSED(S)

AND

1. THE STATE OF ANDHRA PRADESH, Rep. by its Public Prosecutor,High Court of Andhra Pradesh at Amaravati.Through S.H.O, Atmakur PS,Anantapur District

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused(S):

1. K NARSI REDDY

Counsel for the Respondent/complainant:

1. PUBLIC PROSECUTOR

The Court made the following:

COMMON ORDER:

Since both the Criminal Petitions arise out of the same crime and emanate from an identical factual matrix, involving common allegations and issues for consideration, albeit at the instance of different accused persons, they were heard together and are being disposed of by this common order.

2. Criminal Petition No.8678 of 2026 has been filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity ‘the

BNSS'), seeking to enlarge the Petitioners/Accused Nos.1 & 5 on bail in Crime No.78 of 2026 of Atmakur Police Station, Ananthapuram District, registered for the alleged offences punishable under Sections 108 read with 3(5) of the Bharatiya Nyaya Sanhitha, 2023 (for brevity 'the BNS').

3. Criminal Petition No.8553 of 2026 has been filed under Sections 482 of 'the BNSS', seeking to enlarge the Petitioners/Accused Nos.2 to 4 on bail in Crime No.78 of 2026 of Atmakur Police Station, Ananthapuram District.

4. Sri K.Narsi Reddy, learned Counsel for the Petitioners submits that Petitioner/Accused No.4 was arrested on 28.09.2026. In view of the arrest of Accused No.4 Criminal Petition No.8553 of 2026 in respect of Petitioner/Accused No.4 is dismissed as infructuous.

5. Sri K.Narsi Reddy, learned Counsel for the Petitioners/Accused Nos.1 to 5, submits that the Petitioners have been falsely implicated in the present case owing to a long-standing civil dispute relating to agricultural land and pathway rights between close relatives. It is contended that, even if the allegations in the complaint are accepted in their entirety, they do not disclose the essential ingredients of the offence punishable under Section 108 read with Section 3(5) of 'the BNS.,' as no specific overt act, instigation, provocation, intentional aid, or conduct intended to drive the deceased to commit suicide is attributed to any of the Petitioners. The allegations are vague, general, and omnibus in nature and merely arise out of an altercation connected with a civil dispute, without establishing any direct or proximate nexus between the alleged acts of the Petitioners and the suicide. It is further

submitted that Petitioner No.2 was discharging his duties as a 108 Ambulance Driver during the relevant period and had no involvement in the alleged incident. The investigation substantially rests upon documentary and oral evidence already available with the prosecution, rendering custodial interrogation unnecessary. The Petitioners are permanent residents of Madigubba Thanda, Atmakur Mandal, Ananthapuramu District, law-abiding citizens, and there is no likelihood of their absconding, tampering with evidence, or influencing witnesses. Hence, it is urged that this Court may be pleased to allow the Criminal Petitions.

6. *Per contra*, Mr.A.Sai Rohith, the learned Assistant Public Prosecutor vehemently opposed the grant of bail to the Petitioners, submitting that the investigation is still underway and several material witnesses remain to be examined. It is contended that if the Petitioners are enlarged on bail at this stage, there is a strong likelihood that they may abscond, thereby hampering the ongoing investigation and evading the process of law and urged to dismiss the Petition.

7. Heard the learned counsel for the Petitioners and the learned Assistant Public Prosecutor. Perused the record.

8. As seen from the record, Petitioners/Accused Nos.1 & 5 were arrested on 01.09.2026. Accused Nos.1 & 5 were in judicial custody for the past 37 days. There is a civil dispute pending in between the Petitioners and the de-facto complainant. The wife of the de-facto complaint died in the alleged incident. After thorough investigation chargesheet has been filed.

9. Considering the facts and circumstances of the case, the nature and gravity of the allegations levelled against the Petitioners/Accused Nos.1 to 5, this Court is inclined to grant pre-arrest bail to Petitioners/Accused Nos.2 & 3 and regular bail to Petitioners/Accused Nos.1 & 5, subject to the following stringent conditions.

10. In the result, the Criminal Petition No.8678 of 2026 is allowed and Criminal Petition No.8553 of 2026 is partly allowed with the following stringent conditions:

i. The Petitioners/Accused Nos.1 & 5 shall be enlarged on bail subject to them executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties for the like sum each to the satisfaction of the learned Special Judicial First Class Magistrate (P & E), Ananthapuramu.

ii. In the event of the arrest of the Petitioners/Accused Nos.2 & 3, they shall be enlarged on bail by executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties for the like sum to the satisfaction of the arresting police officials;

iii. The Petitioners/Accused Nos.1 to 3 & 5 shall appear before the learned Trial Court on each and every adjournment.

iv. The Petitioners/Accused Nos.1 to 3 & 5 shall not commit or indulge in commission of any offence in future.

v. The Petitioners/Accused Nos.1 to 3 & 5 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 Petitioners/Accused Nos.1 to 3 & 5 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 & 5 shall surrender their passports, if any, to the Investigating Officer, if they claims that they does not have passport, they shall submit an affidavit to that effect before the Investigating Officer.

DR. Y. LAKSHMANA RAO, J

Date: 08.10.2026
Note: Issue C.C. by today
B/o
VTS