APHC010484012026

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

MONDAY, THE 5th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION Nos. 8171 of 2026, 8384 of 2026, 8385 of 2026 and 8594 of 2026

CRIMINAL PETITION NO. 8171 OF 2026

Between:

1. ATTILI SUBBARAO, S/0 TRIMURTHULU, AGED ABOUT 27 YEARS,C/0 GOWDAR/0 PIDIMGOYYI VILLAGE,RAJAMAHENDRAVARAM RURAL MANDALAM,EAST GODAVARI DISTRICT.

...PETITIONER/ACCUSED

AND

1. THE STATE OF ANDHRA PRADESH, Rep., by its Public Prosecutor,High Court of Andhra Pradesh at Amaravathi.

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused:

1. B PARAMESEWARA RAO

Counsel for the Respondent/complainant:

1. PUBLIC PROSECUTOR

2.CRIMINAL PETITION NO: 8384/2026

Between:

1. GEDI APPALARAJU, S/O KALIDASU, AGED ABOUT 43 YEARS,C/O SETTIBALIJA,R/O THOKADA VILLAGE,RAJANAGARAM MANDALAM,EAST GODAVARI DISTRICT.

...PETITIONER/ACCUSED

AND

1. THE STATE OF ANDHRA PRADESH, Rep., by its Public Prosecutor, High Court of Andhra Pradesh at Amaravathi.

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused:

1. B PARAMESEWARA RAO

Counsel for the Respondent/complainant:

1. PUBLIC PROSECUTOR

3.CRIMINAL PETITION NO: 8385/2026

Between:

1. KUMPATLA KRISHNA, S/O VENKANNA,AGED ABOUT 33 YEARS,R/O VADAPALLI VILLAGE, KOWURU MANDAL,EAST GODAVARI DISTRICT

...PETITIONER/ACCUSED

AND

1. THE STATE OF ANDHRA PRADESH, Rep. by its Public Prosecutor,High Court of Andhra Pradesh at Amaravathi

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused:

1. KADIYAM NEELAKANTESWARA RAO

Counsel for the Respondent/complainant:

1. PUBLIC PROSECUTOR

4.CRIMINAL PETITION NO: 8594/2026

Between:

1. MANYAM DURGARAO, S/0 MUSALAYYA RAMUDU,HINDU, AGED 44 YEARS,R/O RAGHUNADHAPURANI VILLAGE,RAJANAGARAM MANDALAM.

...PETITIONER/ACCUSED

AND

1. THE STATE OF ANDHRA PRADESH, Rep., by its Public Prosecutor,High Court of Andhra Pradesh,At Amaravathi.

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused:

1. B PARAMESEWARA RAO

Counsel for the Respondent/complainant:

1. PUBLIC PROSECUTOR

The Court made the following:

COMMON ORDER:

These Criminal Petitions are being heard and disposed of, by way of this common order, though the petitioners are different and the Crime numbers they are involved in are also different, as the offences alleged against them are one and the same and the cause of action in four cases is similar.

2. Criminal Petition No.8171 of 2026 has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity, ‘the BNSS’)

by the petitioner/sole-accused seeking pre-arrest bail in connection with Crime No.444 of 2025 of Prohibition Excise Police Station, Rajamahendravaram South, East Godavari District, registered for the alleged offences punishable under Sections Section 7-B read with 8-A of the Andhra Pradesh Prohibition (Amendment) Act, 2020. Petitioner/sole accused herein is alleged to have indulged in dealing with 1000 litres of FJ Wash.

3. Criminal Petition No.8384 of 2026 has been filed under Section 482 of 'the BNSS' by the petitioner/sole-accused seeking pre-arrest bail in connection with Crime No.221 of 2026 of Prohibition Excise Police Station, Rajamahendravaram South, East Godavari District, registered for the alleged offences punishable under Sections Section 7-B read with 8-A of the Andhra Pradesh Prohibition (Amendment) Act, 2020. Petitioner/sole-accused is alleged to have been indulged in dealing with 1200 litres of FJ Wash.

4. Criminal Petition No.8385 of 2026 has been filed under Section 482 of 'the BNSS' by the petitioner/Accused No.2 seeking pre-arrest bail in connection with Crime No.216 of 2026 of Prohibition Excise Police Station, Rajamahendravaram South, East Godavari District, registered for the alleged offences punishable under Sections Section 7-B read with 8-A of the Andhra Pradesh Prohibition (Amendment) Act, 2020. Petitioner/

Accused No.2 is alleged to have involved in dealing with 1000 litres of FJ Wash.

5. Criminal Petition No.8594 of 2026 has been filed under Section 482 of 'the BNSS' by the petitioner/sole accused seeking pre-arrest bail in connection with Crime No.237 of 2026 of Prohobition Excise Police Station, Rajamahendravaram South, East Godavari District, registered for the alleged offences punishable under Sections Section 7-B read with 8-A of the Andhra Pradesh Prohibition (Amendment) Act, 2020. Petitioner/sole accused is alleged to have involved in dealing with 300 litres of FJ Wash.

6. Learned counsel for the petitioners in the above-mentioned Criminal Petitions submit that there are no specific overt-acts attributable to the petitioners and that the petitioners are innocent of the offences alleged and they have been falsely implicated by the police. It is further submitted that the petitioners are the sole earning member of their respective families, and, therefore, if they are incarcerated, it would cause undue hardship to their dependants. They are law-abiding citizens. Hence, it is urged to grant pre-arrest bail to the petitioners.

7. *Per contra*, Mr.A.Sai Rohit, learned Assistant Public Prosecutor vehemently opposed the grant of pre-arrest 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 granted pre-arrest

bail, there is a strong likelihood that they may abscond, thereby hampering the ongoing investigation and evading the process of law. In view of the foregoing submissions, it is urged that the petitions be dismissed.

8. Heard learned counsel for the petitioners and the learned Assistant Public Prosecutor.

9. This Court, in the similar set of facts and circumstances, *vide* Order dated 29.12.2025 in Criminal Petition No.13074 of 2025, *vide* Order dated 13.10.2025 in Criminal Petition No.10189 of 2025 and *vide* Order dated 14.08.2025 in Criminal Petition No.8217 of 2025, granted pre-arrest bail to the petitioners in the said petitions.

10. Learned counsel for the petitioners/accused in the Criminal Petitions submitted that the petitioners/accused are not involved in any other similar crimes and that they have no adverse antecedents. The learned Assistant Public Prosecutor did not dispute the same.

11. Learned Co-ordinate Benches of this Court, vide Order dated 07.08.2025 in Criminal Petition No. 6395 of 2025 and Order dated 13.12.2021 in Criminal Petition No. 7593 of 2021, quashed the charge-sheet in the Crimes reported under the similar facts and circumstances, holding that mere sale of jaggery to the persons who are involved in manufacturing of I.D. Liquor does not itself attract the provisions under the Andhra Pradesh Excise Act, 1968 and the Andhra Pradesh Prohibition Act,

1995, without there being any element of sharing common intention with the accused who had illegally made arrack.

12. Having regard to the entire facts and circumstances of the cases, the gravity and nature of the allegations levelled against the petitioners in the above Criminal Petitions, this Court is of the view that these four Criminal Petitions deserve to be allowed, subject to certain stringent conditions.

13. In the result, these Criminal Petitions are allowed, with the following conditions:

> i. In the event of arrest, petitioners/accused in the Criminal Petitions shall be enlarged on bail subject to executing a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) each, with two sureties for the like sum each, to the satisfaction of the arresting police officials;
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> ii. The petitioners/accused in the Criminal Petitions shall appear before the Investigating Officer concerned as and when required and cooperate with the Investigating Officer till completion of the investigation.
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> iii. The petitioners/accused in the Criminal Petitions shall not leave the limits of the State without the express permission from the Investigating Officer concerned.

iv. The petitioners/accused in the Criminal Petitions 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.

v. The petitioners/accused in the Criminal Petitions shall surrender their respective passports, if any, to the Investigating Officer. If any one of the petitioners/accused claims that he does not have passport, that petitioner/accused shall submit affidavit to that effect to the Investigating Officer.

DR. Y. LAKSHMANA RAO, J

Date: 05.10.2026
DRNR

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION Nos. 8171/2026, 8384 of 2026, 8385 of 2026 and 8594 of 2026

Date: 05.10.2026
DRNR