APHC010511512026

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 NO: 8613/2026

Between:

1. CHAPPIDI PRIYATHAM, S/O VENGALA RAO,AGED 34 YEARS, R/O. D.NO. 7-18-16/1,SRINIVASA NAGAR, NEAR RAMALAYAM TEMPLEPERALA, CHIRALA, BAPATLA DISTRICT.

...PETITIONER/ACCUSED

AND

1. THE STATE OF ANDHRA PRADESH, rep by its Public Prosecutor,High Court of Andhra Pradesh at Amaravati-522239.

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused:

1. RAMAKRISHNA AKURATHI

Counsel for the Respondent/complainant:

1. 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 Petitioner/Accused No.5 for granting of pre-arrest bail in connection with Crime No.127 of 2026 of Chirala II Town Police Station, Bapatla District, registered for the alleged offences punishable under Sections 332(a), 324(4)

and 351(2) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for brevity 'the BNS').

2. Sri Akurathi Ramakrishna, 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 his family and, therefore, his incarceration would cause undue hardship to his dependents. The learned Counsel for the Petitioner further submits that the Petitioner is a friend of Accused No.2. He took the car and, later, handed over the car to Accused No.2. Accused Nos.1 and 3 gave their confessions against the Petitioner pursuant to their arrest on 01.09.2026. On 05.09.2026, Accused Nos.6 and 7 were arrested. The material portion of the investigation is completed. The Petitioner undertakes to strictly adhere to any conditions that may be imposed by this Court. Hence, it is urged to allow the Criminal Petition.

3. *Per contra*, Mr. A. Sai Rohith, learned Assistant Public Prosecutor, vehemently opposed the grant of pre-arrest bail to the Petitioner, submitting that the investigation is still underway and several material witnesses remain to be examined. It is contended that if the Petitioner is released on pre-arrest bail, there is a strong likelihood that he may abscond, thereby hampering the ongoing investigation and evading the process of law. The learned Assistant Public Prosecutor further submits that the role of the Petitioner came to light based on the confession of the other accused. The Petitioner and the other

Accused had indulged in the commission of house trespass, mischief and criminal intimidation. The investigation is at a progressive stage. The accusations against the Petitioner are well founded. The Petitioner and the other Accused had agreed to share the *supari* for an amount of Rs.40,00,000/-. Hence, it is urged to dismiss the Criminal Petition.

4. Heard the learned counsel for the Petitioner and the learned Assistant Public Prosecutor. Perused the record.

5. On perusal of the record, the Petitioner is arrayed as Accused No.5 in this case. As per the allegations levelled by the prosecution against the Petitioner, custodial interrogation of the Petitioner is required. Furthermore, a test identification parade of the Petitioner is also required. There are no merits in the Criminal Petition. In view of the specific overt acts attributed to the Petitioner, this Court is not inclined to grant pre-arrest bail to the Petitioner.

6. The grant of pre-arrest bail to the Petitioner is neither a license for commission of serious offence nor a shield or protection for having committed grave offences, as per the decisions of the Hon'ble Apex Court in **Gurbaksh Singh Sibbia v. State of Punjab**[1] and **Sushila Aggarwal v. State (NCT of Delhi)** [2] **.** The remedy of pre-arrest bail, being an extraordinary and discretionary relief, cannot be granted to the Petitioner against whom the accusation is well-founded. Therefore, request for grant of pre-arrest bail to the Petitioner/Accused at this juncture does not appear to be convincing or

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

reasonable.There are no merits in the petition. Hence, the Criminal Petition is devoid of merit and is liable to be dismissed.

7. In the result, this Criminal Petition is dismissed.

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

DR. Y. LAKSHMANA RAO, J

Date: 05.10.2026
KMS

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THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

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KMS