APHC010518802026

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

WEDNESDAY, THE 18th DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 8720/2026

Between:

1. BUDIDA SRINIVASA RAO, S/O VENKATESWARLUAGED ABOUT 43 YEARS, OCC BUSINESSR/O NAGULAVARAM VILLAGE, MACHERLA MANDAL PALANDU DISTRICT.

...PETITIONER/ACCUSED

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PUBLIC PROSECUTORHIGH COURT OF ANDHRA PRADESH.
2. M NAZEER BEIG, S/O. MOGALA BEIG, AGED ABOUT 44 YEARS, OCC. INSPECTOR OF POLICE, MACHERLA TOWN POLICE STATION, PALNADU DISTRICT - 522426. RESPONDENT NO.2 IS IMPLEADED AS PER THE COURT ORDER DATED 05.11.2026 IN I.A.NO.1 OF 2026 IN CRL.P.NO.8720 OF 2026.

...RESPONDENT/COMPLAINANT(S):

Counsel for the Petitioner/accused:

1. RAMALAKSHMANA REDDY SANEPALLI

Counsel for the Respondent/complainant(S):

1. POSANI AKASH
2. PUBLIC PROSECUTOR

The Court made the following:
ORDER:

Criminal Petition has been filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity ‘the BNSS’), seeking to

enlarge the Petitioner/Accused No.4 on bail in Crime No.105 of 2026 of Macherla Town Police Station, Palnadu, registered for the alleged offences punishable under Sections 189(2), 191(2), 132 and 109(2) read with 190 of the Bharatiya Nyaya Sanhita, 2023 (for brevity 'the BNS').

2. The case of the prosecution, in brief, is that on 25.06.2026 at about 8:15 p.m., the de-facto complainant, M. Nazeer Beig, Inspector of Police, Macherla Town Police Station, received information from Dr. Rayavarapu Chandra Sekhar of Ravi Teja Hospital, Macherla, regarding the death of one Siluva Kumari due to medical complications following delivery. Thereupon, her relatives and others gathered at the hospital and created a disturbance. When the de-facto complainant rushed to the hospital along with his staff, about 30 persons assaulted the doctor in the ICU ward. While the-de facto complainant and his staff were trying to rescue the doctor, the relatives of the deceased also assaulted him by punching him on his ribs with an intention to kill him, resulting in severe pain and difficulty in breathing. Consequently, he was admitted to the Government Hospital, Macherla, for treatment and lodged a report with the police.

3. Heard Sri Rama Lakshmana Reddy, learned Counsel for the Petitioner, Sri P. Venkateswarlu, learned Senior Counsel appearing on behalf of Sri P. Akash, learned Counsel for Respondent No.2, and the learned Assistant Public Prosecutor.

4. Sri Rama Lakshmana Reddy, the learned Counsel for the Petitioner submits that the Petitioner/Accused No.4 is innocent and has been falsely

implicated in the present crime due to political vendetta. It is contended that no specific overt act is attributed to him and that there is no material establishing his presence or participation in the alleged occurrence, which was captured on CCTV cameras. It is further submitted that the Petitioner was implicated after a lapse of about 70 days, purportedly on the basis of the confession statement of Accued No.1, without any independent corroborative material. It is also submitted that, though the Petitioner has certain criminal antecedents, he has been in judicial custody since 10.09.2026 and is ready to cooperate with the investigation and abide by any conditions imposed by this Court. The regular bail application filed before the learned X Additional Sessions Judge, Gurazala, was dismissed on 25.09.2026. Hence, it is urged that the Petitioner be enlarged on regular bail.

5. *Per contra,* Mr. A.Sai Rohith, The learned Assistant Public Prosecutor strenuously opposed the grant of bail to the Petitioner, contending that the allegations against the Petitioner are serious, the investigation is still in progress, and the material witnesses are yet to be examined. It is further submitted that the Petitioner is involved in several criminal cases and that there is every possibility of his influencing the witnesses or tampering with the evidence if he is released on bail. Hence, it is urged that the Criminal Petition be dismissed.

6. Sri P. Venkateswarlu, learned Senior Counsel appearing on behalf of Sri P. Akash, learned Counsel for the Respondent No.2, submits that the Petitioner, along with other accused, formed part of a group of persons who

entered the ICU ward of Ravi Teja Hospital, Macherla, surrounded Dr. Rayavarapu Chandra Sekhar and assaulted him. It is further contended that when the de-facto complainant and his staff intervened to rescue the doctor, the members of the group assaulted them with fists, dragged and surrounded them, with an intention to kill them, causing bodily injuries. It is submitted that the allegations disclose the commission of serious offences and that the Petitioner cannot seek bail merely by denying his involvement in the incident. Hence, it is urged that the Criminal Petition be dismissed.

7. I have carefully considered the submissions advanced by the learned Counsel appearing for both sides and perused the entire record.

8. Now, the point for consideration is:

"Whether the Petitioner/Accused No.4 is entitled to grant of bail?"

9. On a perusal of the record, it is evident that the Petitioner is a rowdy-sheeter. It is contended that he is a sympathiser of the opposition political party and that his wife had contested in the MPTC and ZPTC elections. Since the victim is the Inspector of Police, Macherla Police Station, the investigation in the present crime was transferred to the Inspector of Police, Palnadu Police Station.

10. There are five similar adverse antecedents reported against the Petitioner, some of which are similar in nature to the offences alleged in the present case. No doubt, the management of the hospital had deposited an amount of more than Rs.20 lakhs in favour of the parents of the deceased child. Though the learned Counsel for the Petitioner contended that the

Petitioner was not present at the scene of the offence, L.W.19, one of the witnesses, has specifically identified the Petitioner in his statement.

11. It is further alleged that Accused No.1 assaulted Respondent No.2/Inspector of Police by punching him with a metal bangle on his sixth rib, resulting in a fracture injury. The presence of the Petitioner at the scene of the offence is also established through CCTV footage, which was seized under a mediators' report (mediatornama).

12. The Petitioner has also filed a petition seeking quashing of the proceedings in Crime No.109 of 2026, which was registered at the instance of the hospital management. So far, only eighteen witnesses have been examined, and the investigation is still at a crucial stage.

13. The Petitioner was arrested on 10.09.2026 and has been in judicial custody for only 67 days. It is true that custodial interrogation of the Petitioner was completed on 01.10.2026 between 9:00 A.M. and 3:00 P.M. However, the role of the Petitioner came to light based on the confession of Accused No.1 and the statement of L.W.19.

14. The Petitioner was allegedly one of the members of the mob, comprising nearly twelve persons, which formed an unlawful assembly. The offence of being a member of an unlawful assembly is an independent and substantive offence. Unlike the principle of common intention, the liability arising from membership of an unlawful assembly is governed by the concept of common object, and mere membership of such an unlawful assembly, subject to the statutory requirements, is punishable under law.

15. In the circumstances, if the Petitioner is enlarged on bail at this stage, there is every likelihood that he may threaten or intimidate the witnesses, tamper with the prosecution evidence, and otherwise hamper the ongoing investigation. Therefore, having regard to the Petitioner's criminal antecedents, the specific overt acts attributed to the accused, the material collected during the investigation, and the likelihood of interference with the investigation and trial, the grant of bail at this stage is not warranted.

16. Considering the entire facts and circumstances of the case, the nature and gravity of the allegations, and the material available on record, this Court is not inclined to enlarge the Petitioner/Accused No.4 on bail at this juncture. Accordingly, this Court finds no merit in the Criminal Petition, and the same is liable to be dismissed.

17. 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: 18.11.2026
KMS

HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 8720/2026

Date: 18.11.2026
KMS