APHC010547732026

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

TUESDAY, THE 27th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 9162/2026

Between:

1. C PHANI ALIAS C PRADEEP KUMAR, S/O. C. NAYANASWAMY, AGED ABOUT 20 YEARS, R/O. NEAR YALLAMMA TEMPLE, BUKKARAYASAMUDRAM VILLAGE AND MANDAL, ANANTHAPURAMU DISTRICT

...PETITIONER/ACCUSED

AND

1. THE STATE OF ANDHRA PRADESH, STATION HOUSE OFFICER, BUKKARAYA SAMUDRAM POLICE STATION, ANANTHAPURAM DISTRICT, REP.BY PUBLIC PROSECUTOR HIGH COURT, AMARAVATI, A.P.

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused:

1. KAMIREDDY DIVYA

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 for granting of pre-arrest bail in connection with Crime No.222 of 2025 of Bukkaraya Samudram Police Station, Ananthapuram District, registered for the alleged offences punishable under Sections 118(1), 118(2) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for brevity 'the BNS').

2. Ms. Kamireddy Divya, learned counsel for the Petitioner submits that the petitioner is aged about 20 years and he is pursuing B.Tech., he is innocent of the alleged offences and has been falsely implicated in the case. He is law-abiding citizen. The Petitioners undertake to strictly abide by any conditions that may be imposed by this Court while granting pre-arrest bail. Hence, it is urged to allow the Criminal Petition.

3. *Per contra,* Mr.A.Sai Rohith, the 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 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. Hence, it is urged to dismiss the Criminal Petition.

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

5. On perusal of the record, there are specific overt acts attributed against Petitioner/Accused No.3 that he fisted the victim on his face, as result, his tooth was dislocated.

6. The grant of pre-arrest bail 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, has to be considered in the light of the facts and circumstances of each case.

7. Having regard to the specific overt acts attributed to the Petitioner/Accused No.3 and the fact that the investigation is at a crucial stage, this Court is not inclined to grant pre-arrest bail to the Petitioners at this juncture.

8. 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: 27.10.2026
SSA/EV

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

118

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SSA/EV