APHC010555502026

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: 9256/2026

Between:

1. KAILASAM RAMANAIAH, S/O. DIBBAIAH, HINDU, AGED ABOUT 67 YEARS,RIO. TIRUMALAMMA PALEM VILLAGE,VENKATACHALAM SATRAM MANDAL,SPSR NELLORE DISTRICT - 524323.
2. DAMMAI ADIMURTHY, S/O. SUBRAHMANYAM, HINDU, AGED ABOUT 41 YEARS,RIO. TIRUMALAMMA PALEM VILLAGE,VENKATACHALAM SATRAM MANDAL,SPSR NELLORE DISTRICT - 524323

...PETITIONER/ACCUSED(S)

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(S):

1. V ROOPESH KUMAR REDDY

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 Petitioners/Accused Nos.1 & 2 for granting of pre-arrest bail in connection with Crime No.148 of 2026 of V. Satram Police Station, SPSR Nellore District, registered for the alleged offences punishable under Sections 109(1), 115(2) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for brevity 'the BNS').

2. Mr. V. Roopesh Kumar Reddy, learned counsel for the Petitioners, submits that the Petitioners are innocent of the alleged offences and have been falsely implicated in the case. Learned counsel for the petitioner submits that the de-facto complainant has also attacked the petitioners. The petitioners have submitted a report to the Superintendent of Police, but it is not registered as F.I.R. They are law-abiding citizens, and civil disputes are pending between the Petitioners and the de-facto complainant. 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, specific overt acts have been attributed against the petitioners/Accused Nos. 1 and 2. The allegation against the Petitioners is that Accused No.2 caught hold of the hands of the de-facto complainant, who is about 70 years of age, while Accused No.1, aged about 67 years, allegedly beat the de-facto complainant with a stone on his head. As a result, the de-facto complainant sustained a bleeding injury and was treated by a doctor, who reportedly administered three sutures. Thus, there are specific and direct allegations against the petitioners regarding their participation in the commission of the offence. Based on the report lodged by Accused No.1, a separate case was registered against the de-facto complainant and his son in Crime No. 228 of 2026.

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.

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

7. Having regard to the specific overt acts attributed to the Petitioners/Accused Nos.1 and 2 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

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THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION No.8952 of 2026

Date: 27.10.2026

SSA/EV