APHC010559252026

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: 9327/2026

Between:

1. SHAIK HAJIMOON ALIAS AZEEMUNNISA, W/O. SUBHANI, AGED ABOUT 67 YEARS, R/O. 3RD LANE, ANANDAPETA, OLD GUNTUR, GUNTUR.
2. SHAIK ABID,, S/O. SUBHANI, AGED ABOUT 35 YEARS, R/O. 3RD LANE, ANANDAPETA, OLD GUNTUR, GUNTUR.
3. SHAIK JANI, S/O. SUBHANI, AGED ABOUT 45 YEARS, A4R/O. 3RD LANE, ANANDAPETA, OLD GUNTUR, GUNTUR.
4. SHAIK AHQAMMAD JANI, S/O. SUBHANI,AGED ABOUT 43 YEARS, R/O. 3RD LANE,ANANDAPETA, OLD GUNTUR, GUNTUR.
5. SHAIK SADIQ BABU ALIAS SHAIK SAJID,, S/O. SUBHANI, AGED ABOUT 39 YEARS, R/O. 3RD LANE, ANANDAPETA,OLD GUNTUR, GUNTUR
6. SHAIK KHALID, , S/O. SUBHANI, AGED ABOUT 32 YEARS, A7R/O. 3RD LANE, ANANDAPETA, OLD GUNTUR, GUNTUR
7. SHAIK NASREEN, W/O. SABIR, AGED ABOUT 30 YEARS, A8R/O. 3RD LANE, ANANDAPETA, OLD GUNTUR, GUNTUR.

...PETITIONER/ACCUSED(S)

AND

1. THE STATE STATION HOUSE OFFICER, ,Old Guntur P.S.,Rep. by Public Prosecutor,High Court of A.P., Amaravati

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused(S):

1. VENKATA DURGA RAO ANANTHA

Counsel for the Respondent/complainant:

1. PUBLIC PROSECUTOR

The Court made the following:

ORDER:

The Criminal Petition has been filed under Sections 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity 'the BNSS'), seeking to enlarge the Petitioners/Accused No.2 to 8 on bail in Crime No.387 of 2019 of Old Guntur Police Station, registered for the alleged offences punishable under Sections 307, 506, 147 read with 149 of Indian Penal Code, 1860 (for brevity, 'the I.P.C.,').

2. Mr. Venkata Durga Rao Anantha, the learned counsel for the Petitioners, submits that the Petitioners are innocent of the alleged offences and have been falsely implicated in the case. They are law-abiding citizen and they are sole earning members of their family. The Petitioners are ready and willing to cooperate with the investigation and undertakes to appear before the Investigating Officer as and when required and 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, 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 granted pre-arrest

bail at this stage, there is a likelihood of their interfering with the investigation, influencing the witnesses, or tampering with the prosecution evidence. Hence, it is urged to dismiss the Criminal Petition.

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

5. As seen from the record, originally, the names of the Petitioners were omitted by the Investigating Officer in the course of investigation, and a charge sheet was filed against Accused No. 1 only. Later, the Defacto Complainant filed a protest petition, based on which the learned Magistrate concerned issued an official memorandum directing the Investigating Officer to file an additional charge sheet against the Petitioners also. Accused No. 1 was arrested and sent to judicial custody. Later, he was released on bail.

6. As seen from the record, there are disputes between Accused No. 1 and the Defacto-Complainant, and there was a considerable delay in lodging the complaint in 2010. A complaint was lodged by the Defacto-Complainant/LW.1, which was registered as a case in Cr. No. 153 of 2010. In the course of the proceedings, the case ended in a compromise. Accused No.1 married Accused No. 8 in the year 2009. It is alleged that Accused No. 1 married the Defacto-Complainant in the year 2010. The record reveals that Accused No. 1 and the De facto Complainant, who is transgender, loved each other and went to Mumbai and there transplantation was done for the Defacto-Complainant. There are no specific overt acts attributed to the Petitioners, and the allegations against them are omnibus in nature.

7. Having considered the entire facts and circumstances of the case, and the nature and gravity of the allegations levelled against the Petitioners/Accused Nos.2 to 8, this Court is inclined to enlarge the Petitioners/Accused Nos.2 to 8 on pre-arrest bail, subject to the following stringent conditions.

8. In the result, the Criminal Petition is allowed with the following stringent conditions:

> i. In the event of the arrest of the Petitioners, the Petitioners/Accused No. 2 to 8 shall be enlarged on bail by executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties for the like sum to the satisfaction of the arresting police officials;
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> ii. The Petitioners/Accused Nos.2 to 8 shall make themselves available for investigation as and when required;
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> iii. The Petitioners/Accused Nos.2 to 8 shall not cause any threat, inducement or promise to the prosecution witnesses.
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> iv. The Petitioners/Accused Nos.2 to 8 shall appear before the Station House Officer concerned once in a week i.e., on every Saturday between 10.00 a.m. and 5.00 p.m., till filing of the charge sheet.
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> v. The Petitioners/Accused Nos.2 to 8 shall not leave the limits of the State of Andhra Pradesh without the express permission from the Station House Officer concerned.
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> vi. The Petitioners/Accused Nos.2 to 8 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 them from disclosing such facts to the Court.
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> vii. The Petitioners/Accused Nos.2 to 8 shall surrender their passports, if any, to the Investigating Officer. If they

claims that they do not have passport, they shall submit an to that effect to the Investigating Officer.

DR. Y. LAKSHMANA RAO, J

Date: 27.10.2026
SSA/EV

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 9327 of 2026

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SSA/EV