APHC010561252026

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

FRIDAY, THE 6th DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 9367/2026

Between:

BALU PALI REDDY, S/O.LATE BALU PICCHI REDDY, AGED ABOUT 64 YEARS, OCC BUSINESS,R/O.9-109, 78-13/1, BALU EVER GREEN SCHOOL,LAKSHMI NAGAR COLONY, TIRUPATI TOWN AND DISTRICT.

...PETITIONER/ACCUSED

AND

THE STATION HOUSE OFFICER, SULLURUPETA POLICE STATION,TIRUPATI DISTRICT,REP., BY ITS PUBLIC PROSECUTOR,HIGH COURT OF A.P, AMARAVATHI.

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused:

C SUBODH

Counsel for the Respondent/complainant:

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.1 for granting of pre-arrest bail in connection with Crime No.171 of 2026 of Sullurpet Police Station, Tirupati District, was registered for the alleged offence punishable under Sections 333, 118(2) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for brevity 'the BNS').

2. Mr.C.Subodh, the learned counsel for the petitioner, submits that the petitioner is the innocent of the alleged offence. He has not committed any offence. He is the sole earning member of the family. He is a law abiding citizen. The petitioner undertakes to strictly adhere to any conditions that may be imposed by this Court. Hence, the learned counsel prays to grant pre-arrest bail to the petitioner.

3. *Per contra*, Mr.A.Sai Rohit, the 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. Hence, it is urged that the petition be dismissed.

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

5. As seen from the record, this is the second application seeking anticipatory bail. Earlier, this Court, *vide* order dated 16.09.2026 in Crl.P.No.7896 of 2026, dismissed the first application for pre-arrest bail.

6. In this regard, it is apposite to refer to the judgment of the Hon'ble Apex Court in **G.R. Ananda Babu v. State of Tamil Nadu**[1], wherein, at paragraph No. 6, it was held as under:

> *6.As a matter of fact, successive anticipatory bail applications ought not to be entertained and more so, when the case diary and the status report, clearly indicated that the accused (Respondent 2) is absconding and not cooperating with the investigation. The specious reason of change in circumstances cannot be invoked for successive anticipatory bail applications, once it is rejected by a speaking order and that too by the same Judge.*

7. Thus, in **G.R.Ananda Babu** *supra*, it was held that successive anticipatory bail applications are not maintainable when the accused is absconding and not cooperating with the investigation. A mere change in circumstances is not a valid ground once an earlier application has been rejected by a reasoned order. The order passed by this Court is also a speaking order answering all the contentions raised by the learned counsel for the petitioner.

8. The learned counsel for the petitioner submits that the health condition of the petitioner and the pendency of the civil suit between the parties were not brought to the notice of this Court earlier. Indeed, on perusal of the medical records submitted by the learned counsel for the petitioner, it is

[1] (2021) 16 SCC 725

evident that the petitioner, aged about 64 years, is suffering from gallbladder carcinoma (cancer). Further, the record reveals that a civil suit in O.S.No.36 of 2022 is pending between the petitioner and another person on the file of the learned Principal Junior Civil Judge, Sullurupet. The petitioner is a permanent resident of Visakhapatnam District and has got fixed abode.

9. However, the judgment of the Hon'ble Supreme Court in **Kalyan Chandra Sarkar v. Rajesh Ranjan**[2], wherein it was held that a second anticipatory bail application is maintainable if there is a change in the factual situation or in law warranting interference with the earlier view, or where the earlier findings have become obsolete.

10. Having regard to the entire facts and circumstances of the case, the gravity and nature of the allegations leveled against the petitioner/Accused No.1, the alleged role played by his in this case, this Court deems it fit to grant pre-arrest bail to the petitioner/Accused No.1 with the following conditions:

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

> i. In the event of his arrest, petitioner/Accused No.1 shall be enlarged on bail subject to his executing a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) with two sureties for the like sum each to the satisfaction of the arresting police officials;

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[2] (2005) 2 SCC 42

ii. The petitioner/Accused No.1 shall make himself available for investigation as and when required;

iii. The petitioner/Accused No.1 shall not cause any threat, inducement or promise to the prosecution witnesses

iv. The petitioner/Accused No.1 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.

v. The petitioner/Accused No.1 shall not leave the limits of the State of Andhra Pradesh without the express permission from the Station House Officer concerned.

vi. The petitioner/Accused No.1 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 him/her from disclosing such facts to the Court.

DR. Y. LAKSHMANA RAO, J

Date: 06.11.2026
RSI

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 9367 of 2026

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