APHC010569012026

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

WEDNESDAY, THE 28th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION Nos: 9562 & 9564 of 2026

Crl.P.No.9562 of 2026

Between:

1. POLA SREENIVASULA REDDY, S/O. VENKATA REDDYAGED ABOUT 66 YEARS, OCC AGRICULTURER/O. D.NO.6/99, REDDYAVARI STREET, RAJAMPETAY.S.R. KADAPA DISTRICT.
2. AKEPATI ANIL KUMAR REDDY, S/O. VENKATA LAKSHMI NARAYANA REDDYAGED ABOUT 62 YEARS, OCC BUSINESSR/O. D.NO.6/1, KATTAKINDA PALLI, RAJAMPETA Y.S.R. KADAPA DISTRICT.

...PETITIONER/ACCUSED(S)

AND

1. THE STATE OF ANDHRA PRADESH, rep. by its Public Prosecutor,High Court Buildings, Amaravati.

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused(S):

1. V R REDDY KOVVURI

Counsel for the Respondent/complainant:

1. PUBLIC PROSECUTOR

Crl.P.No.9564 of 2026

Between:

1. MARRI RAVI KUMAR, S/O. SRINIVASULU,AGED ABOUT 49 YEARS, OCC AGRICULTURER/O. DOOR NO.2/768, AKULA STREET, SATYAMMA BANDA,RAJAMPETA, YSR KADAPA DISTRICT- 516 115.

2. PAPINENI VISWANTH REDDY, S/O. RAGHAVA REDDYAGED ABOUT 58 YEARS, OCC AGRICULTURER/O. DOOR NO.6/384, VRS COLONY, RAJAMPETA,YSR KADAPA DISTRICT-516 115.
3. DANDU GOPI, S/O. BALASWAMY,AGED ABOUT 52 YEARS, OCC AGRICULTURER/O. DOOR NO.6/400-59, SATHAPALLI, RAJAMPETAYSR KADAPA DISTRICT - 516 115
4. SATHYALA RAMA KRISHNA, S/O. JAYARAMAIAH,AGED ABOUT 46 YEARS, OCC AGRICULTURER/O. 6/140, RS ROAD, SATHAPALLI, RAJAMPET,ANNAMAYYA DISTRICT - 516 115
5. SHAIK MOHAMMED NYAMATHULLA, S/O. MD ABDUL RAHMANAGED ABOUT 44 YEARS, OCC AGRICULTURER/O. DOOR N0.4/64-E, USMAN NAGAR, RAJAMPETA,YSR KADAPA DISTRICT - 516 115
6. BILLA NARESH KUMAR, S/O. BILLA PENCHAIAH,AGED ABOUT 34 YEARS, OCC AGRICULTURER/O. DOOR NO.5/518, EGUVAGADDA,RAJAMPET, YSR KADAPA DISTRICT- 516 115.
7. REDDYMASI RAMESH BABU, S/O. SUBBARAYUDU,AGED ABOUT 51 YEARS, OCC AGRICULTURER/O. DOOR NO. 1/59/A, KUNCHIVARIPALLE, RAJAMPETYSR KADAPA DISTRICT - 516 115
8. GOVINDU BALAKRISHNA, S/O. GANGISETTY,AGED ABOUT 57 YEARS, OCC AGRICULTURER/O. DOOR NO. 2-20-9-A1, BOYAPALEM-2, RAJAMPET,YSR KADAPA DISTRICT- 516 115.
9. BOJJA PENCHALA NARASIMHULU, S/O. PENCHALAIAH,AGED ABOUT 35 YEARS, OCC AGRICULTURER/O. DOOR NO.6/400-30, RS ROAD, RAJAMPETSATHAPALLI, ANNAMAYYA DISTRICT-516 115
10. G MANI, S/O. SREERAMAULUAGED ABOUT 40 YEARS, OCC AGRICULTURER/O. D.NO.3/97, KOMMIVARPALLI COLONY,RAJAMPETA, Y.S.R. KADAPA DISTRICT
11. S M JAKEER HUSSAIN, S/O. SHAIK DHASTAGIRI,AGED ABOUT 37 YEARS, OCC BUSINESSR/O. DOOR NO.6/760, JANIBASHAPURAM, RAJAMPET,ANNAMAYYA DISTRICT - 516 115
12. BUKKE VISHNUVARDHAN NAIK, S/O. KRISHNA NAIK,AGED ABOUT 30 YEARS, OCC BUSINESSR/O. DOOR N0.6/697-D, SARASWATIPURAM, RAJAMPETYSR KADAPA DISTRICT - 516 115

13. GOWRI SHANKAR, S/O. VENKATA SUBBAIAH,AGED ABOUT 46 YEARS, OCC AGRICULTURER/O. D.NO.2/209, TALLAPAKA VILLAGE, KADAPAY.S.R. KADAPA DISTRICT.

14. YOGESWAR REDDY, S/O. SIDDA REDDYAGED ABOUT 54 YEARS, OCC AGRICULTURER/O. D.NO.2/92, TALLPAKA, RAJAMPETA MANDAL,Y.S.R. KADAPA DISTRICT.

15. SIDDAVARAM GOPAL REDDY,, S/O. RAMACHANDRA REDDY, AGED ABOUT 62 YEARS, OCC AGRICULTURE R/O. DOOR NO. 1/4, KUNDA NELLORE, NANDALURU, YSR KADAPA DISTRICT - 516 151

16. GUNDU MALLIKHARJUNA REDDY,, S/O. SUBBA REDDY AGED ABOUT 49 YEARS, OCC AGRICULTURE R/O. DOOR NO. 15/112/2, KUMMARAPALLI, NAGIREDDIPALLE, NANDALUR, YSR KADAPA DISTRICT-516 150

17. PENUBALA NAGA SUBBAIAH,, S/O. PEDDA SUBBAIAH AGED ABOUT 55 YEARS, OCC AGRICULTURE R/O. DOOR NO.9/51, HARIJANAWADA, NANDALUR, YSR KADAPA DISTRICT - 516 150

18. KAKI CHANDRAMOHAN,, S/O. PENCHALAIAH, AGED ABOUT 54 YEARS, OCC AGRICULTURE R/O. DOOR NO.5/50-2, JANGAM STREET, NANDALURU, ANNAMAYYA DISTRICT - 516 150

19. M. NADIVEEDI SUDHAKAR,, S/O. N. GANGAIAH, AGED ABOUT 51 YEARS, OCC AGRICULTURE R/O. DOOR NO.2/258, SRIRAM NAGAR, ARAVAPALLI, NAGIREDDIPALLE, NANDALUR, YSR KADAPA DISTRICT - 516 150 (A36)

20. SOMISETTY PRABHAKAR,, S/O. NARASIMHULU, AGED ABOUT 59 YEARS, OCC AGRICULTURE R/O. 6/9-A, PETAGADDA, NANDALUR, YSR KADAPA DISTRICT - 516 150 (A39)

21. GEETHALA NARASIMHA REDDY,, S/O. NARAYANAREDDY, AGED ABOUT 50 YEARS, OCC AGRICULTURE R/O. 1/17, NEW THIMMARAJUPALLI, NALLATHIMMAREAJUPALLE, LEBAKA, YSR KADAPA DISTRICT-516 151 (A40)

22. ANALA MADHU,, S/O. ANALA SANTEYYA, AGED ABOUT 41 YEARS, OCC AGRICULTURE R/O. DOOR NO.3/219-1, THOTAPALEM, ARAVAPALLI NANDALUR, YSR KADAPA DISTRICT - 516 150 (A41)

23. UMMALA RAJU MADHU SUDHAN RAJU,, S/O. VENKATA NARASA RAJU, (A42) AGED ABOUT 50 YEARS, OCC AGRICULTURE R/O.

DOOR NO.10.47-B, YEGUVA KUMMARAPALLI, PATUR, YSR KADAPA DISTRICT - 516 150

24. AKEPATI JAGADEESWAR REDDY,, S/O. RAMA KRISHNA REDDY AGED ABOUT 54 YEARS, OCC BUSINESS R/O. DOOR NO. 15/110, KUMMARAPALLI, NANDALUR, YSR KADAPA DISTRICT - 516 150 (A44)

25. CHINTHAKAYALA GANGI NAIDU,, S/O. GANGI NAYUDU, AGED 70 YEARS, OCC BUSINESS R/O. DOOR NO.5-62, CHINTHAKAYALAPALLI, TANGUTURU YSR KADAPA DISTRICT-516 151

26. M.CHANDRSEKHAR, S/O.KALAVAIAH AGED ABOUT 58 YEARS, OCC AGRICULTURE R/O. POTHAPI, KADAPA, Y.S.R. DISTRICT.

27. ARIGELA SOWMITRI CHADNRANATH,, S/O. RAMA CHANDRAIAH, (A48) AGED ABOUT 57 YEARS, OCCBUSINESS R/O. DOOR NO.8/51-A, DOWN STREET, NANDALURU, YSR KADAPA DISTRICT - 516 150

28. NAYANAPALLI ANUDEEP JAYASIMHA,, S/O. RAVI KUMAR AGED ABOUT 36 YEARS, OCC BUSINESS R/O. 9-128, NAGIREDDYPALLI, NANDALUR, YSR KADAPA DISTRICT - 516 150

...PETITIONER/ACCUSED(S)

AND

1. THE STATE OF ANDHRA PRADESH, rep. by its Public Prosecutor High Court Buildings, Amaravati.

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused(S):

1. V R REDDY KOVVURI

Counsel for the Respondent/complainant:

1. PUBLIC PROSECUTOR

The Court made the following:

COMMON ORDER:

These two Criminal Petitions are heard together and are being disposed of by way of this common order, as they arise out of same crime but the Petitioners are different.

2. Criminal Petition No.9562 of 2026 has been filed under Sections 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity 'the BNSS'), seeking to enlarge the Petitioners/Accused Nos.1 & 2 on bail in Crime No.188 of 2026 of Rajampeta Urban Police Station, YSR Kadapa District, registered for the alleged offences punishable under Sections 191(2), 191(3), 118(1), 109(1) read with 190 of the Bharatiya Nyaya Sanhita, 2023 (for brevity 'the BNS').

3. Criminal Petition No.9564 of 2026 has been filed under Sections 482 of 'the BNSS', seeking to enlarge the Petitioners/Accused Nos.3, 5, 6, 7, 8, 9, 11, 13, 19, 21, 23, 24, 29, 30, 32, 33, 34, 35, 36, 39, 40, 41, 42, 44, 46, 47, 48 & 50 on bail in Crime No.188 of 2026 of Rajampeta Urban Police Station, YSR Kadapa District, registered for the alleged offences punishable under Sections 191(2), 191(3), 118(1), 109(1) read with 190 of 'the BNS'.

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

5. As seen from the record the Petitioners who are arraigned as Accused in Cr.No.188 of 2026 of Rajampeta Urban Police Station has directly approached this Court for grant of pre-arrest bail without approaching the learned Sessions Judge at the first instance. Such procedure is contrary to the

law laid down by the Hon'ble Apex Court in **Mohammed Rasal.C v. State of Kerala**[1] and **Jagdeo Prasad v. State of Bihar and others**[2]**.**

6. The Hon'ble Apex Court in **Mohammed Rasal.C** *supra* wherein at paragraph Nos.7, 8 and 9 it was held as follows:-

> *"7. The Sessions Judge exercises powers under Section 438 Cr.P.C in relation to all cases registered with the police stations in the particular District. This area-wise distribution of work would make it much more convenient and facilitate expeditious disposal, if the application for pre-arrest bail is first filed before the Sessions Court which would have a direct and first-hand assistance of the concerned Public Prosecutor appointed for that particular District. The Sessions Court would also have an immediate access to the Case Diary thereby facilitating a better appreciation of facts of the case.*
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> *8. We further feel that if the practice of entertaining the applications for pre-arrest bail directly in the High Court is encouraged, and the parties concerned are not relegated to first approach the Sessions Court concerned, the High Court would be flooded with a spate of pre-arrest bail applications thereby creating a chaotic situation. We say so, because if the parties are required to approach the Sessions Court concerned for seeking remedy of pre-arrest bail, there is a strong probability that significant number of applications would be allowed at that level only thereby acting as a filtration process before the process reaches the High Court.*
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> *9. It is trite that in most of the States, there is a consistent practice requiring the litigant concerned to first approach the Sessions Court for seeking relief of pre-arrest bail and only in the event of denial of such relief, the litigant would be granted access to approach the High Court for seeking such relief. This is, of course, subject to just exceptions and the High Court, for reasons to be recorded, may entertain an application for pre-arrest bail directly in special/ extra-ordinary circumstances."*

7. The Hon'ble Apex Court in **Jagdeo Prasad** *supra* at para No. 6 as under:

> *"6.However, before parting, we do wish to express our sincere concern with the haste at which the High Court has dealt with this matter. While the scheme of Criminal Procedure Code,*

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[1] Special Leave to Appeal (Crl) Nos. 6588 of 2025, dated 08.09.2025.

[2] Crl. Appeal @ SLP (Crl) No. 17805 of 2024 etc.

> *1973 (now Bharatiya Nagarik Suraksha Sanhita, 2023) provides concurrent jurisdiction to the High Court and Sessions Court for entertaining applications for anticipatory bail, this Court has time and again observed that High Court should always encourage exhausting an alternative/concurrent remedy before directly interfering itself. This approach balances the interests of all the stakeholders, first by giving the aggrieved party a round of challenge before the High Court. Second, this approach provides the High Court an opportunity to assess the judicial perspective so applied by the Sessions Court, in concurrent jurisdiction, instead of independently applying its mind from the first go. Further, the High Court fails to record any reason for directly granting anticipatory bail without impleading the appellant-complainant as a party."*

8. Sri V.R.Reddy Kovvuri, learned Counsel for the Petitioners submits that Petitioner/Accused No.1 is aged about 66 years and he is an advocate and ex-chairman of Rajampeta Municipality. Accused No.2 is the brother of the sitting MLA. The rest of the Accused are the followers of the political party of the Petitioner who is canvassing the elections. In order to deprive the Accused Nos.1 & 2 to effectively canvas in the elections false case was foisted against the Petitioners/Accused. The victims have not suffered any grievous injuries in the alleged hands of the Petitioners.

9. Albeit this Court has got concurrent jurisdiction under Section 482 of ‘the BNSS.,’ such discretionary relief would only be granted, when the Petitioner establishes a special case or extra ordinary circumstance. As seen from the averments, the Petitioners neither established a special case nor extra-ordinary circumstance. However, in view of the orders passed in **Mohammed Rasal.C** and **Jagdeo Prasad** *supra*, this Court is not inclined to exercise its discretionary power to grant pre-arrest bail to the Petitioners, as they have not approached the learned Sessions Judge concerned at first instance.

10. Having considered the entire facts and circumstances of the case, these two Criminal Petitions are disposed of, permitting the Petitioners to approach the learned Sessions Judge concerned by filing appropriate applications seeking grant of pre-arrest bail within a period of two (02) weeks from the date of receipt of a copy of this order. Until such time, the Investigating Officer is directed not to take any coercive steps against the Petitioners, but the Petitioners shall cooperate with the Investigating Officer and appear before the Investigating Officer as and when required.

11. In the result, these two Criminal Petitions are disposed of.

As a sequel, Miscellaneous petitions, if any pending, shall stand closed.

DR. Y. LAKSHMANA RAO, J

Date: 28.10.2026
VTS