APHC010577312026

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

THURSDAY, THE 5th DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 9693/2026

Between:

KONDURU SRINIVASA RAO, ,S/O. POTHURAJU, AGED ABOUT 48 YEARS,OCC FISHER MANRESIDENT OF POTTI SUBBAIAH PALEM VILLAGE,VETAPALEM MANDAL, PRAKASAM DISTRICT

...PETITIONER/ACCUSED

AND

THE STATE OF ANDHRA PRADESH, ,Represented by its Public Prosecutor,High Court of Andhra Pradesh at Amaravati,Through the Station House Officer,Chirala II Town Police Station,Bapatia District

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused:

MAGANTI SAI KRISHNA

Counsel for the Respondent/complainant:

PUBLIC PROSECUTOR

The Court made the following:

ORDER:

The Criminal Petition has been filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity 'the BNSS'), seeking to enlarge the Petitioner/Accused No.1 on bail in connection with Crime No.127 of 2026 of Chirala II Town Police Station, Bapatla District, registered for the alleged offences punishable under Sections 332(a), 324(4), 351(2) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for brevity 'the BNS').

2. Mr.Maganti Sai Krishna, the learned Counsel for the Petitioner submits that the Petitioner is innocent of the alleged offence. He has been falsely implicated by the police. It is further submitted that the Petitioner is the sole earning member of the family and, therefore, his incarceration would cause undue hardship to his dependents. 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 allow the petition.

3. *Per contra*, Mr.A.Sai Rohith, the learned Assistant Public Prosecutor vehemently opposed the grant of 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 bail at this stage, there is a strong likelihood that he may abscond, thereby hampering the ongoing investigation and evading the process of law and urged to dismiss the Petition.

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

5. On perusal of the record, the petitioner is arraigned as Accused No.1. The petitioner was arrested on 01.09.2026 and has been in judicial custody for the past 65 days. There are no adverse antecedents reported against the petitioner. So far, nine witnesses have been examined, and the material part of the investigation has been completed. All the witnesses examined so far are official witnesses. If the petitioner is enlarged on bail subject to stringent conditions, there is no likelihood of his absconding, threatening the witnesses, tampering with the evidence or hampering the further course of investigation. The petitioner is a permanent resident of Prakasam District and has got fixed abode. This Court, *vide* order dated 03.11.2026 in Crl.P.No.9590 of 2026, enlarged Accused Nos.2 and 3 on bail subject to certain stringent conditions. The present petitioner/Accused No.1 is also on the same footing.

6. Having regard to the facts and circumstances of the case, the nature and gravity of the allegations levelled against the petitioner, and the period of incarceration undergone by him, this Court is inclined to enlarge the petitioner/Accused No.1 on bail, subject to certain stringent conditions.

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

i. The Petitioner/Accused No.1 shall be enlarged on bail subject to his executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties

for the like sum each to the satisfaction of the learned Principal Junior Civil Judge Court, Chirala.

ii. The Petitioner/Accused No.1 shall appear before the Station House Officer concerned, on every Saturday in between 10:00 am and 05:00 pm, till filing of the charge sheet.

iii. The Petitioner/Accused No.1 shall cooperate with the Investigating Officer in further investigation of the case and shall make himself available for interrogation by the Investigating Officer as and when required.

iv. The Petitioner/Accused No.1 shall not leave the limits of the State of Andhra Pradesh without prior permission from the learned Trial Court concerned.

v. The Petitioner/Accused No.1 shall not commit or indulge in commission of any offence while on bail.

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.

vii. The Petitioner/Accused No.1 shall surrender his passport, if any, to the Investigating Officer. If he claims

that he does not have passport, he shall submit affidavit to that effect to the Investigating Officer.

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DR. Y. LAKSHMANA RAO, J

Date: 05.11.2026
RSI

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 9693 of 2026

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RSI