APHC010582842026

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

THURSDAY, THE 12th DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 9799/2026

Between:

1. DEVALLA SIVA PARVATHI, W/O DEVALLA NAGARAJU, AGED ABOUT 32 YEARS. OCCUPATION HOUSEHOLD WORK, R/O D.NO. 41-28/6-61 A, RAMALAYAM STREET, RANIGARITHOTA, KRISHNALANKA, VIJAYAWADA URBAN, NTR DISTRICT, ANDHRA PRADESH - 520013.

...PETITIONER/ACCUSED

AND

1. THE STATE OF ANDHRA PRADESH, THROUGH SHO PATAMATA POLICE STATION,NTR COMMISSIONERATE VIJAYAWADA, NTR DISTRICT,REP. BY PUBLIC PROSECUTOR, HIGH COURT OF A.P., AMARAVATI.

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused:

1. KALE VIJAYA RAJU

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

Petitioner/Accused No.2, for grant of seeking pre-arrest bail in connection with Crime No.360 of 2026 of Patamata Police Station, NTR Commissionerate, for the offences punishable under Sections 3(1), 4(1), 5(1)(a) of the Prevention of Immoral Traffic Act, 1956 (for brevity 'PIT Act'), and Sections 144(2) and 143(3) of the Bharatiya Nyaya Sanhita, 2023 (for brevity 'the BNS').

2. Heard the learned Counsel for the petitioner and the learned Assistant Public Prosecutor. Perused the record.

3. Sri K.Vijaya Raju, learned counsel for the petitioner, submits that this is the second anticipatory bail petition. He submits that the petitioner is innocent of the alleged offences and has been falsely implicated in the case. He submits that the petitioner is a law-abiding citizen, has a fixed abode and undertakes to abide by any conditions that may be imposed by this Court while granting pre-arrest bail. The petitioner will not abscond and fully co-operate with the investigation agency. Therefore, he prays that this Court may be pleased to grant anticipatory bail to the petitioner.

4. *Per contra,* Mr.A.Sai Rohith, learned Assistant Public Prosecutor, submits that this is the second anticipatory bail application, which is not maintainable in view of the judgment of the Hon'ble Apex Court in ***G.R. Ananda Babu v. State of Tamil Nadu***[1]***.*** Hence, he prays that the present application be dismissed in the interest of justice and to safeguard the sanctity of the investigative process.

[1] (2021) 16 SCC 725

5. Indeed, this Court, by order dated 16.09.2026 in Crl.P.No.7891 of 2026, dismissed the earlier anticipatory bail application with cogent reasons. The petitioner and her husband were running a brothel. There has been no change in circumstances from the date of dismissal of the earlier bail application till the filing of the present bail application. Specific overt acts are attributed to the petitioner and accusations are well-founded against the petitioner.

6. In view of the specific allegations and overt acts attributed to the petitioner/Accused No.2, this Court is not inclined to grant pre-arrest bail as it would amount to granting protection or shield to the persons against whom specific allegations are levelled, as per the judgments of the Hon'ble Apex Court in ***Gurbaksh Singh Sibbia v. State of Punjab***[2] and ***Sushila Aggarwal v. State (NCT of Delhi)***[3].

7. The Hon'ble Apex Court in ***G.R. Ananda Babu*** *supra* wherein at para No.6 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."*

8. There are specific overt acts attributed to the petitioner/Accused No.2. Hence, there are no merits in this Criminal Petition. Accordingly, this Criminal Petition is dismissed.

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[2] (1980) 2 SCC 565
[3] (2020) 5 SCC 1

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

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DR. Y. LAKSHMANA RAO, J

Date: 12.11.2026
BMS