APHC010586852026

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

WEDNESDAY, THE 11th DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 9880/2026

Between:

NAKKA NAGA SRINIVASA RAO, A.13 S/O VEERAYYAMALE. 50 YEARS, BUSINESSR/O DOOR N0.4-5-49/37-A, SAIBABA ROAD,NAME TOWERS, POTHIKATIA VILLAGE, PARUCHUR MANDALBAPATIA DISTRIT, STATE OF ANDHRA PRADESH-522 007

...PETITIONER/ACCUSED

AND

THE STATE OF ANDHRA PRADESH, , THROUGH SHO OF SAMISRAGUDEM P.S.REP. BY ITS PUBLIC PROSECUTOR, HIGH COURT OF AP, AMARAVATI.

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused:

SARASCHANDRA BABU JAKKAMSETTY

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.13 on bail in Crime No.122 of 2026 of Samisragudem Police Station, East Godavari District, registered for the alleged offences punishable under Sections 329(4), 324(4), 109(1) read with 190 of the Bharatiya Nyaya Sanhita, 2023 (for brevity 'the BNS').

2. Sri J.Saraschandra Babu, 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, it is urged 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, and submits 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. As seen from the record, the petitioner is arraigned as Accused No.13. He was arrested on 11.09.2026 and has been in judicial custody for the past 61 days. The allegation against the petitioner is that he, along with some other accused, formed an unlawful assembly, trespassed into the house of the de-facto complainant and allegedly attempted to kill him. The petitioner is also alleged to have been involved in acts of mischief. So far, five witnesses have been examined. There are no adverse antecedents reported against the petitioner. The petitioner is a permanent resident of Parchur Mandal, Bapatla District and has a fixed place of abode.

6. Mr. C. Sunil Kumar Reddy, learned counsel, submits that he intends to file an application seeking impleadment of the de-facto complainant as a party respondent in this case and opposes the bail application. The instant bail application was filed on 02.11.2026, whereas the petitioner was arrested on 11.09.2026. There are altogether fourteen accused in the case. The learned counsel appearing for the de-facto complainant further submits that there is a threat to the life of the Managing Director of the de-facto complainant company. He contends that if the petitioner is enlarged on bail, it would be difficult for the police to arrest the remaining accused. The apprehension expressed by learned counsel that the release of the petitioner on bail would affect the arrest of the remaining accused cannot be accepted, as the

petitioner’s enlargement on bail has nothing to do with the arrest of the other accused, which is a matter concerning the investigating agency.

7. There is an allegation of an attempt to murder. However, no injuries were sustained by the de-facto complainant. Of course, even in the absence of any injuries, the offence under Section 307 of ‘the IPC’/Section 109 of ‘the BNS’, may still be attracted, depending upon the facts and circumstances of the case. The de-facto complainant or its Managing Director had sufficient time since the arrest of Accused No.13 to seek impleadment in the present proceedings. However, no such application has been filed so far. This Court is of the view that the request now made by learned counsel for the de-facto complainant cannot be permitted to delay the process of consideration of the petitioner's bail application. Hence, the contention raised by learned counsel appearing for the de-facto complainant cannot be entertained.

8. Having regard to the facts and circumstances of the case, the nature and gravity of the allegations levelled against the petitioner, the period of incarceration undergone by him and the stage of investigation, this Court is inclined to enlarge the Petitioner/Accused No.13 on bail, subject to certain stringent conditions.

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

i. The Petitioner/Accused No.13 shall be enlarged on bail subject to his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two

sureties for the like sum each to the satisfaction of the learned Judicial Magistrate of First Class, Nidadavole.

ii. The Petitioner/Accused No.13 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.13 shall not leave the limits of the State of Andhra Pradesh without prior permission from the Station House Officer concerned.

iv. The Petitioner/Accused No.13 shall not commit or indulge in commission of any offence while on bail.

v. The Petitioner/Accused No.13 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.

vi. The Petitioner/Accused No.13 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.13 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: 11.11.2026
RSI

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 9880 of 2026

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