APHC010587192026

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: 9891/2026

Between:

1. SHAIK NAWAZ VALI, AGED 26 YEARS,S/O.SHAIK RAHIMAN,R/O. D.NO.8/554, RAJIV NAGAR,ANANTHAPURAMU TOWN - 515001.

...PETITIONER/ACCUSED

AND

1. THE STATE OF ANDHRA PRADESH, THROUGH SHO, ANANTHAPURAMU III TOWN POLICE STATIONREPRESENTED BY ITS PUBLIC PROSECUTOR,HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused:

1. YATTAPU BHARATH KUMAR REDDY

Counsel for the Respondent/complainant:

1. PUBLIC PROSECUTOR

The Court made the following:
ORDER:

This Criminal Petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity, 'the BNSS'), by the petitioner/Accused No.6, for grant of pre-arrest bail in connection with Crime No.204 of 2026 of Ananthapuram III Town Police Station, Ananthapuramu

District registered for the alleged offences punishable under Sections 118(1), 115(2), 109 read with 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for brevity 'the BNS').

2. The case of the prosecution is that, on 30.09.2026, the complainant, along with his friends, attended the birthday celebrations of one of their friends. During the celebrations, an altercation took place between Anil and Hari (Accused No.1). Thereafter, Accused Nos.1 to 7 approached the complainant and his friends and engaged in a verbal altercation with them. Allegedly, harbouring a grudge, all the accused exhorted one another with the intention of eliminating the complainant. Accused Nos.1 and 2 assaulted the complainant with broken beer bottles and stones, while Accused Nos.5 to 7 caught hold of him, thereby causing bleeding injuries. Hence, the crime.

3. Mr.Y.Bharath Kumar Reddy, the learned counsel for the petitioner, submits that the petitioner is innocent of the alleged offence and he has been falsely implicated by the police. He is law-abiding citizen and is the sole breadwinner of the family. The petitioner undertakes to strictly adhere to any conditions that may be imposed by this Court. In light of the foregoing submissions, the learned counsel prays that the present petition be allowed in the interest of justice.

4. *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 there are specific overt acts attributed against the petitioner and 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. In view of the foregoing submissions, it is urged that the petition be dismissed.

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

6. As seen from the record, there is a specific overt act attributed to the petitioner/Accused No.6 that he, along with the other accused, firmly caught hold of the victim while the other accused beat the victim with broken beer bottle and stones, causing bleeding injuries. Thus, specific overt acts are attributed against the petitioner. Granting of pre-arrest bail is neither a licence nor permission or passport to commit crime, as per the judgments of the Hon'ble Apex Court in **Gurbaksh Singh Sibbia v. State of Punjab**[1] and **Sushila Aggarwal v. State of (NCT of Delhi)**[2].The discretionary relief of granting Anticipatory Bail cannot be granted to the petitioner, inasmuch as the accusations are well-founded against the petitioner. Further, the wound certificate indicates that the victim suffered grievous injuries. Hence, this Court is not inclined to grant pre-arrest bail to the petitioner by exercising its discretionary jurisdiction. Therefore, this Court finds no merit in the Criminal Petition, and the same is liable to be dismissed.

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

7. In the result, the Criminal Petition is dismissed.

DR. Y. LAKSHMANA RAO, J

Date: 11.11.2026
BMS