

IN THE COURT OF THE SPECIAL JUDGE FOR TRIAL OF CASES
UNDER SCHEDULED CASTES & SCHEDULED TRIBES (PREVENTION
OF ATROCITIES) ACT, 1989-CUM-IV ADDITIONAL SESSIONS JUDGE,
GUNTUR.

Present: **SRI V.SRINIVASA RAO,**
SPECIAL JUDGE FOR TRIAL OF CASES UNDER SCHEDULED
CASTES & SCHEDULED TRIBES (PREVENTION OF ATROCITIES) ACT,
1989-CUM-IV ADDITIONAL SESSIONS JUDGE.

Wednesday, the 14th day of JULY, 2026.

CrI.M.P.No.1007/2026 in Cr.No.60/2026
of Kolluru Police Station

Between:-

1. Uppu Janaki Ramaih S/o.Subramanyam, Aged 36 years,
R/o.Kolluru Village and Mandal, Bapatla District.
2. Ramu Bala Siva Gangadhar @ Babu S/o.Sivannarayana,
Aged 21 years, R/o.Avulavaripalem Village, Kolluru Mandal,
Bapatla District.
3. Ramu Sivannarayana S/o.Seethaiah, Aged 51 years,
R/o.Avulavaripalem Village, Kolluru Mandal, Bapatla District.

...Petitioners/ A1 to A3

-And-

The State: The Sub-Divisional Police Officer, Repalle.

...Respondent/Complainant.

This petition came before me on 13.07.2026 for hearing in the presence of Sri R.N.Vamsi Krishna, Advocates for the Petitioners / Accused Nos. 1 to 3 and of the Special Public Prosecutor for the State/Respondent, and upon perusing the petition, the Case Diary, and the entire material on record, this Court made the following:

ORDER

The above named Petitioners / A1 to A3 filed this bail application under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred as BNSS for brevity) seeking relief to enlarge them on bail in Crime No. 60/2026 of Kolluru Police Station for the offence punishable under Sections 115(2), 118(1), 109(1) r/w.190 of BNS and Section 3(2)(va) of SC & ST (POA) Amendment Act, 2015.

2) This is a case of atrocity, attempt to commit murder and simple hurt with common intention that occurred on 22-05-2026 at 10-30 PM at Kolluru Police Station, Kolluru.

a) One Godavarthi Teja (hereinafter called as defacto complainant) is resident of Kolluru, whereas, A1 is the resident of Kolluru, A2 and A3 are residence of Avulavaripalem Village of Kolluru Mandal.

b) On the night of 22-05-2026 at about 10-30 PM, the deacto complainant came to know that one K.Suresh was beaten at Kolluru Center by A1 and that along with the said Suresh, D.Chintaiah and C.Chintaiah went to Police Station. By that time, the defacto complainant and his men visited the police station, one K.Daniel, D.Vamsi and K.Ashok and few others were altercating with each other with A1 to A3. When the said D.Chinthaiah and C.Chintaiah intervened to pacify the matter, A1 altercated with them. When A2 and A3 pushed them, A1 and A3 shouted as “ EE NAA KODOKUNI CHAMPANDIRAA” further, A2 stabbed defacto complainant for twice on his left shoulder with knife. Thereafter, he stabbed D.Chinthaiah on his left shoulder. When C.Chinthaiah tried to intervene, A2 stabbed him and caused bleeding injuries. When the said K.Suresh and others, tried to stoped them, A1 to A3 pushed the said K.Suresh on the ground, beat him with hands and kicked with legs. Thereafter, the defacto complainant and others were rescued from the hands of the accused.

c) Then, the said D.Chintaiah and C.Chintaiah were shifted to Government Hospital, Vemuru, thereafter, they shifted to Government Hospital in 108 Ambulance.

d) Basing on the report of defacto complainant the Station House Officer, Kolluru Police Station registered the case in Cr.No. 60/2026 under

Sections 115(2), 118(1) and 109(1) r/w 190 of BNS and Section 3(2)(va) of SC & ST (POA) Amendment Act, 2015.

3) Notice is given to the learned Special Public Prosecutor and the submitted C.D file.

4) Heard, the learned counsel for the petitioners/ A1 to A3 and the learned Special Public Prosecutor.

5) The learned counsel for petitioners / accused submitted arguments that the petitioners / accused did not commit any offence and falsely implicated in this case. The petitioners / A1 to A3 are law abiding citizens. As per remand report, there is no specific overt act against the accused and the petitioners are the only bread winner of their family and the entire investigation is completed and charge sheet yet to be filed. The petitioners / A1 to A3 are badly injured in the hands of the defacto complainant party, The petitioner/accused has been in judicial custody since 25.05.2026.

6) The learned Special Public Prosecutor submitted that investigation is pending, some more witnesses are to be examined.

7) **Now the point for consideration is:**

“Whether the request of petitioners/A1 to A3 for grant of bail can be accepted to”?

POINT:

7. *It is trite law that a pre-trial incarceration shall be neither punitive nor preventive unless the facts and circumstances severely compel. What is germane for consideration of a bail application has been enunciated of a bail by a Apex Court in a number of cases including the Virupakshappa Gouda and another Vs. State of Karnataka and others 2017 (1) ALD (Crl.) 1028 (SC) = (2017) 5 SCC 406. A compilation of those prerequisites are :*

- (a) severity or gravity of the offence*
- (b) prima facie accusation against the offender.*
- (c) severity of punishment in the event of conviction*

- (d) the chances of accused absconding if granted bail.*
- (e) the propensity of accused repeating the crimes*
- (f) reasonable apprehension that the accused influencing the witness and thwart the course of justice.*

8. As it could be seen from the record, this Court dismissed the previous bail applications of the petitioner/accused vide Crl.MP.NO.825/2026, dated 22-06-2026 by observing at Para Nos.7 to 9 to that effect:

- 8) Perused the F.I.R. and C.D.
- 9) On carefully gone through the complaint report, in which the defacto complainant mentioned that the petitioners / A1 to A3 beat him with cock-fight knife and caused grievous injuries. On carefully gone through the CD file, the investigation officer recorded the statement of eight witnesses and some more witnesses have to be examined. In CD file it was mentioned that awaited for FSL Report, which shows that the material part of investigation is not yet completed and the petitioners / A1 to A3 are also involved in Cr.NO.61/2026 of Kolluru PS
- 10) The petitioners / A1 to A3 are the prime accused and attacked the defacto complainant and others with a cock-fight knife and they are received grievous injuries.

9. In recent citation, the Apex court in respect of successive bail applications in Mamatha Nair Vs. State of Rasthan (2021) 7 SCC 442 it was held that “ *Denial/cancellation of bail on earlier occasion , the court has to see any change of circumstances sufficiently to warrant grant of bail*”.

“ Denial/cancellation of bail on earlier occasion , the court has to see any change of circumstances sufficiently to warrant grant of bail”.

10. There are no major change of circumstances in between the dismissal of the previous bail application and present petition as per the CD submitted to the court as on today. There is a gravity and seriousness in the matter.

11. The record clearly discloses that the investigation is not yet completed. At this juncture , the learned Special Public Prosecutor submit that if the petitioners / accused Nos.1 to 3 are enlarged on bail, certainly there is every chance that the petitioners / accused Nos.1 to 3 may threaten the witnesses and tamper the evidence and some more witnesses have to be examined. There is force in the argument of the learned Additional Public Prosecutor and I also accepted the contention of learned Additional Public Prosecutor.

So, considering the case facts and above circumstances, I am of the opinion, the petitioners / accused Nos.1 to 3 are not entitled for bail.

12. In the result, this petition is dismissed.

Typed to my dictation by the Stenographer Grade-I, corrected and pronounced by me in open Court, this the 14th day of JULY, 2026.

SD/- V.Srinivasa Rao

Special Sessions Judge-cum-
IV Additional Sessions Judge,
Guntur.