



IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

TUESDAY, THE SEVENTEENTH DAY OF FEBRUARY

TWO THOUSAND AND TWENTY SIX

: PRESENT:

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL PETITION NO: 1004 OF 2026

Between:

1. Alapati Mahalakshmi,
W/o. Chinna Venkata Swami,
Aged 80 years, R/o. No. 23, MGC Housing Colony,
Gandhi Nagar Panchayat, Chirala,
Bapatla District- 522101.
2. Alapati Dhana Lakshmi, W/o. Late Brahmanandam,
Aged 72 years, R/o. Dharbaru Road, Chirala,
Bapatla District- 522101.
3. Alapati Radha Krishna Kumari,
W/o. Madhusudhan Rao, Aged 63 years,
R/o. Dharbaru Road, Chirala,
Bapatla District- 522101.
4. Tavva Dhana Lakshmi,
W/o. Venkateswarlu, Aged 80 years,
R/o. No. 23, MGC Housing Colony,
Gandhi Nagar Panchayat, Chirala,
Bapatla District- 522101.
5. Alapati Brahmandam, S/o. Venkata Subbarayudu,
Aged 75 years, R/o. Dharbaru Road, Chirala,
Bapatla District- 522101.
6. Alapati Madhusudhan Rao,
S/o. Venkata Subbarayudu,
Aged 72 years, R/o. Dharbaru Road, Chirala,
Bapatla District- 522101.

(2)

7. Gurram Raghava Rao, S/o. Late Brahmanandam
Aged 55 years, R/o. Polimera Road,
Vyshnavi Avenue, Chirala,
Bapatla District- 522101.
8. Gurram Badrinath Kumar,
S/o. Late Brahmanandam, Aged 52 years,
R/o. Near Ramastambham, Papuraju Thota, Chirala,
Bapatla District- 522101.
9. Gurram Mohana Rao, S/o. Late Peddabbai,
Aged 71 years, R/o. RR road, Chirala,
Bapatla District- 522101.
10. Muvvala Malleswari,
W/o. Late Sri Ranga Nayakulu,
Aged 70 years, R/o. Sambasiva Pet, 2nd line,
Guntur-522001.

.....Petitioners/
Accused 1 to 10

And

The State of Andhra Pradesh
rep by its Public Prosecutor,
High Court of Andhra Pradesh at Amaravati.

....Respondent/
Complainant

Petition under Section 482 of BSS is filed praying that in the circumstances stated in the grounds filed in support of the Criminal Petition, the High Court may be pleased to grant anticipatory Bail to the petitioners by directing the Station House Officer, Chirala Rural Police Station, Bapatla District to release the petitioners/Accused No. 1 to 10 on bail in the event of their arrest in connection with Crime No. 137 of 2025

Counsel for the Petitioners: Sri Akurathi Rama Krishna

Counsel for the Respondent: Public Prosecutor

THE COURT MADE THE FOLLOWING ORDER

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA**CRIMINAL PETITION NO: 1004 of 2026****Order:**

The Criminal Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity, 'the BNSS'), by the petitioners, who are Accused Nos.1 to 10, seeking anticipatory bail in connection with Crime No.137 of 2025 of Chirala Rural Police Station, Bapatla District, registered for the offences punishable under Sections 316(2), 318(4) read with 34 of Bharatiya Nyaya Sanhita, 2023.

2. The case of the prosecution, in brief, is that on 24.07.2025 at about 03:00 hours, the complainant, Konduri Krishna Rao, lodged a report stating that he is an Advocate and is serving as Vice-President of G. Ramana Trust, Vadarevu Village, Chirala Mandal. It is alleged that on 23.02.1994, Accused Nos.1 to 5 gifted an extent of Ac.1.00 of land situated in Survey Nos.73/3, 733/1 and 752/3 to the said Trust by executing a registered gift deed. Subsequently, 10 cents of land was transferred to one Boyina Venkeswaramma through Document No.5196 of 2011, who in turn sold the same to one Mylapalli Srinu of Vadarevu Village through registered Document No.701 of 2017 dated 07.03.2017. Another 10 cents of land was sold to one P. Laxmi, and 20 cents of land was sold to Chodipilli Yesuraju of Vadarevu Village through Document Nos.8536/22 and 8537/22 dated 25.09.2021. Thus,

it is alleged that Accused Nos.1 to 10 sold 40 cents of land belonging to the Trust and thereby committed cheating.

3. Sri Akurathi Rama Krishna, learned counsel for the petitioners would submit that the offences alleged against the petitioners are purely civil in nature. On 29.08.1983, the petitioners jointly purchased the subject property under ten different registered sale deeds. Out of eight persons who purchased the property, five persons executed a registered gift deed in favour of the Trust on 23.02.1994. The allegations directed against the petitioners is to the effect that they have sold away the property despite giving the property under a registered gift deed to the Trust to an extent of 40 cents. Learned counsel for the petitioners would further submit that the property was purchased jointly by eight persons under ten different registered sale deeds, out of which, three persons have not executed any gift deed in favour of the Trust. Therefore, there was no criminal intention whatsoever on the part of the petitioners so as to attract the offences under Sections 316(2) and 318(4) read with 34 of BNS.

4. Learned Assistant Public Prosecutor would submit that court may pass appropriate orders by imposing suitable conditions.

5. Learned counsel for the respondent No.2 submits that the Court may pass appropriate orders, as the Trust is in the process of filing a civil suit with regard to the subject property.

6. Heard. Perused the record.

7. A perusal of the material on record reveals that on 29.08.1983, the petitioners jointly purchased an extent of Ac.1.00 under ten different registered

sale deeds. Out of the eight persons who purchased the property, only five persons executed a registered gift deed in favour of the Trust on 23.02.1994. Thus, the allegations levelled against the petitioners appear to be purely civil in nature. It is further submitted by the learned counsel for respondent No.2 that the Trust is in the process of filing a civil suit with regard to the subject property.

8. In the facts and circumstances of the case, this Court is inclined to consider request of petitioners for grant of anticipatory bail, however, on conditions.

9. Accordingly, petitioners/Accused Nos.1 to 10 shall approach before the learned jurisdictional Court, within one (1) week, from the date of this order, and shall execute a personal bond for a sum of Rs.20,000/- (Rupees twenty thousand only), with two sureties for the like sum each, to the satisfaction of the said Court. The petitioners shall make themselves available for investigation as and when required and that they shall not cause any threat, inducement or promise to the prosecution witnesses. The petitioners shall appear before the Station House Officer concerned, once in a week i.e. on every Sunday between 10.00 a.m. and 01.00 p.m. till filing of the charge sheet.

10. Accordingly, the Criminal Petition is allowed.

//TRUE COPY//

SD/- K.J.RAJA BABU
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The Judicial First Class Magistrate, Chirala
2. The Station House Officer, Chirala Police Station, Bapatla District
3. One CC to Sri Ramakrishna Akurathi Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court of Andhra Pradesh [OUT]
5. One spare copy

HIGH COURT

DR.VJP, J

DATED: 17/02/2026

BAIL ORDER

CRLP.No.1004 of 2026

ALLOWED

