

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

THURSDAY, THE EIGHTH DAY OF MAY,

TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE K SURESH REDDY

AND

THE HONOURABLE SMT JUSTICE V.SUJATHA

CRLP NO: 7844 OF 2024 AND 1461, 2147, 2274, 2697, 3344 AND 3454

OF 2025

CRLP.No.7844 of 2024:

Between:

K.C.Krishna Reddy, S/o Late K.C.Rami Reddy, Aged about 64 years, R/o.
D.No.26/4/1628/A1, Jayan Tej Nilayam, SBI Colony, Melapuram, Hindupur
Town and Mandal, Sri Sathya Sai District, Andhra Pradesh.

...Petitioner/

Accused No.1

AND

1. The State of Andhra Pradesh, (Dharmavaram I Town Police Station,
Sri Satya Sai District), Represented by its Public Prosecutor, High
Court of Andhra Pradesh, at Amaravati.

(Extra copy Served to the Public Prosecutor for the purpose of notice to
the Victim (Second Respondent) under Section 15A of the Scheduled
Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989)

2. Birru Rajasekhar, S/o.B.Rajanna, Aged about 54 years, Occ:
Agriculture, R/o. D.No.1-11-175, Abaadpet, Hindupur, Sri Satya
District-515671.

...Respondent/Complainant

Petition under Section 482 of BNSS, 2023 is filed praying that in the
circumstances stated in memorandum of grounds of Criminal Petition, the



High Court may be pleased to direct the first Respondent Police to enlarge the Petitioner/Accused No.1 (K.C.Krishna Reddy) on bail in the event of his arrest in connection with FIR (Crime) No.103 of 2024 of Dharmavaram I Town Police Station, Sri Satya Sai District, Andhra Pradesh;

IA NO: 1 OF 2024:

Petition under Section 482 of BNSS, 2023 is filed praying that in the circumstances stated in memorandum of grounds of Criminal Petition, the High Court may be pleased to grant interim anticipatory bail to the Petitioner/ Accused No.1, in the event of his arrest in connection with FIR (Crime) No.103 of 2024 of Dharmavaram I Town Police Station, Sri Satya Sai District, Andhra Pradesh, pending disposal of CRLP.No.7844 of 2024, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and memorandum of grounds of criminal petition and upon hearing the arguments of Sri M.R.K.Chakravarthy, Advocate for the Petitioner and Public Prosecutor for the Respondent No.1 and Sri Abdus Saleem, Advocate for the Respondent No.2;

CRLP NO: 1461 OF 2025:

Between:

1. Smt Vidadala Rajani, W/o Kumara Swamy Vidadala, Aged about 34 years, Former Minister, R/o 36-137, Main Road, Purushothama Patnam, Chilakaluripet.
2. Nagisetty Jaya Phanindra, S/o Srinivasa Rao, Aged about 35 years, R/o 7-130, Gandhipet, Chilakaluripet.
3. Rama Krishna, S/o Anjaiah, aged about 40 years, R/o 2-71 Vemavaram, Prakasham.

...Petitioners/A2 – A4

AND

1. The State of Andhra Pradesh, Rep. by its Public Prosecutor, High Court at Amaravathi, Through S.H.O., Chilakaluripeta Town P.S., Guntur District.
2. Pilli Koteswar Rao, S/o Pilli Subba Rao, Aged about 38 years, R/o D.No.11-428 East Mallapali Village, Chilakaluripeta.

...Respondents/Defacto complainant

Petition under Section 438 of Cr.P.C is filed praying that in the circumstances stated in memorandum of grounds of Criminal Petition, the High Court may be pleased to enlarge the Petitioners/Accused on bail in the event of their arrest by the Respondent Chilakaluripet Town P.S., Guntur District in Crime No.39/2025 dated 06.02.2025;

IA NO: 1 OF 2025:

Petition under Section 528 of BNSS, 2023 is filed praying that in the circumstances stated in memorandum of grounds of Criminal Petition, the High Court may be pleased to grant interim bail to the Petitioners/Accused by directing the Respondent Chilakaluripet Town P.S., Guntur District not to arrest the petitioners in Crime No.39/2025 dated 06.02.2025 till final adjudication of the criminal petition, pending disposal of CRLP 1461 of 2025, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and memorandum of grounds of criminal petition and upon hearing the arguments of Sri S.Dushyanth Reddy, Advocate for the Petitioners and Public Prosecutor for the Respondent No.1 and Sri V.V.Lakshmi Narayana, Advocate for the Respondent No.2;

CRLP NO: 2147 OF 2025:

Between:

U.Jeevan Reddy, S/o Venkata Reddy, Aged about 36 years, R/o Manesamudram village, Hindupur Town and Mandal, Sri Satya Sai District.

...Petitioner/

Accused

AND

The State of Andhra Pradesh, Rep. through Public Prosecutor, High Court of Andhra Pradesh, Amaravathi, Guntur District.

...Respondent

Petition under Section 482 of BNSS, 2023 is filed praying that in the circumstances stated in memorandum of grounds of Criminal Petition, the High Court may be pleased to enlarge the Petitioner on bail in the event of his arrest in connection with F.I.R.No.21 of 2025 dated 18/02/2025 on the file of the Hindupur Rural Police Station, Sri Satya Sai District for the alleged offences punishable under Sections 109(1), 115(1), 351(2) BNS, 3(1)(s), 3(2)(v) SC ST POA ACT;

The petition coming on for hearing, upon perusing the Petition and memorandum of grounds and upon hearing the arguments of Sri M.R.K.Chakravarthy, Advocate for the Petitioner and Public Prosecutor for the Respondent;

CRLP No: 2274 OF 2025:

Between:

Volupalli Mohan Ranga Rao, S/o.V.Tata Rao, aged 48 years Occ:
Business, R/o.D.No.11-73-4 Gannavaram, NTR District.

...Petitioner/A-5

AND

The State of Andhra Pradesh, Station House Officer Patamata Police Station Vijayawada City, NTR District Rep.by public prosecutor High Court, Amaravathi

...Respondent

Petition under Section 438/482 (1) BNSS, 2023 is filed praying that in the circumstances stated in memorandum of grounds of Criminal Petition, the High Court may be pleased to release the Petitioner/A-5 on

bail in the event of his arrest in FIR No.86/2025 Dt. 12-02- 2025 on the file of the Station House Officer, Patamata Police Station, Vijayawada City, NTR District, Andhra Pradesh;

The petition coming on for hearing, upon perusing the Petition and memorandum of grounds of criminal petition and upon hearing the arguments of Sri Kiran Tirumalasetti, Advocate for the Petitioner and Public Prosecutor for the Respondent;

CRLP NO: 2697 OF 2025:

Between:

Karubolu Anil Kumar, S/o K.Thammi Naidu, Aged 27 years, D.No.17-41, Kranthi Nagar, Hanumanth waka, near LV Prasad Eye Hospital, Govt Dairy Farm Visakhapatnam.

...Petitioner/Accused -1

AND

The State of Andhra Pradesh, Through the S.H.O., of Muwalavanipalem P.S., Rep., by its Public Prosecutor High Court at Amaravathi.

...Respondent/Complainant

Petition under Section 482 of BNSS Act, 2023 (438 Cr.P.C) is filed praying that in the circumstances stated in memorandum of grounds of Criminal Petition, the High Court may be pleased to grant an Anticipatory Bail to the petitioner/A-1 by directing the S.H.O., of Muvvalavanipalem P.S., Visakhapatnam City to Release the Petitioner/A-1 in the event of his Arrest in connection with the Crime in F.I.R.No.316/2024 dt.12/07/2024 by Allowing the Criminal Petition in the Interest of the justice;

The petition coming on for hearing, upon perusing the Petition and memorandum of grounds of criminal petition and upon hearing the arguments of Sri Ravuri Leela Sai Sampath, Advocate for the Petitioner and Public Prosecutor for the Respondent;

CRLP NO: 3344 OF 2025:

Between:

Kakani Govardhan Reddy, S/o. Ramana Reddy, Aged about 60 years, R/o.
Podalakur Road, Nellore, SPSR Nellore District

...Petitioner/Accused A4

AND

The State of Andhra Pradesh, Rep. by Public Prosecutor, High Court of
Andhra Pradesh at Amaravathi

...Respondent

Petition under Section 482 of BNSS, 2023 is filed praying that in the circumstances stated in memorandum of grounds of Criminal Petition, the High Court may be pleased to enlarge the Petitioner/Accused A4 on bail in the event of his arrest in Cr.No.24/2025 on the file of Podalakur Police Station, dated 16.02.2025 under Sections 447, 427, 379 r/w. 34 I.P.C, Sec. 3 PDPPA, Sec. 21 (1), 21 (4) of MMDARA, Sec. 120 (b), 109, 220, 506 I.P.C and Sec.3 & 5 of Explosive Substances Act;

IA NO: 1 OF 2025:

Petition under Section 528 of BNSS, 2023 is filed praying that in the circumstances stated in memorandum of grounds of criminal petition, the High Court may be pleased to grant interim anticipatory petitioner/Accused No.4 in the event of arrest of the petitioner in connection with Cr.No.24/2025 on the file of Podalakur Police Station, pending disposal of CRLP.No.3344 of 2025, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and memorandum of grounds of criminal petition and upon hearing the arguments of M/s O.M.R.Law Firm for the Petitioner and Public Prosecutor for the Respondent;

CRLP NO: 3454 OF 2025:

Between:

Gunthanala Nagamani, W/o.Burgula Sai Prasad, Aged about 37 Years,
Occ: Journalist H.No.28-799-IB, N.G.O.s Colony, Nandyala Nandyala
Mandal and District, Andhra Pradesh-518 501.

...Petitioner/Accused No.1

AND

1. The State of Andhra Pradesh, through Represented by Public Prosecutor, High Court of Andhra Pradesh.
2. Mollangi Elijebeth Rani, W/o. M. Abraham, Aged about 40 Years,
Occ Repoter, R/o.28/759-4-4, N.G.O's Colony, Nandyala Town,
Nandyala Mandal and District, Andhra Pradesh.

...Respondent/Defacto-Complainant

Petition under Section 482 BNSS Act, 2023 is filed praying that in the circumstances stated in memorandum of grounds of Criminal Petition, the High Court may be pleased to direct the enlarged the Petitioner/Accused No.1 on bail in the event of her arrest in connection with Crime No.9/2025 on the file of Police Station, Nandyala -II Town, Nandyala Mandal and District;

The petition coming on for hearing, upon perusing the Petition and memorandum of grounds of criminal petition and upon hearing the arguments of Sri Geddada Srinivas, Advocate for the Petitioner and Public Prosecutor for the Respondent No.1, the Court made the following;

ORDER:

"1) Today when these matters are taken up, the learned Advocate General states that the matter will take considerable time and as the Summer Vacation, 2025 is intervening, he requests some time.

2) At this juncture, Mr. O. Manohar Reddy, learned Senior Counsel, requests this Court to pass an interim order of protection, directing the respondent Police not to take any coercive steps till the reference is answered. He contends that the Division Bench has got every right to pass interim orders, even before reference is answered, for protection order.

3) The learned Advocate General places reliance on the judgment of the Hon'ble Supreme Court in T.A. Hameed Vs. M. Viswanathan¹. The Hon'ble Supreme Court, in the above said judgment held as follows:

“9. In Kesho Nath² in almost identical situation, this Court has taken the view that when a reference is made to a larger bench, the larger Bench should answer the reference and thereafter remit the case to the appropriate Bench for decision on merits. In that case also the learned Single Judge had referred the matter to the Division Bench on the question

“1....Whether the order dated January 21, 1963 made by the Chief Settlement Commissioner was final and binding in the present appeal, and if so, what is its effect upon the point in controversy in the present appeal?”(SCC p. 38, para1)

The Division Bench by order dated 7-4-1980 disposed of the appeal on merits and dismissed it with costs and held that the order dated 21-1-1963 made by the Chief Settlement Commissioner was not final and binding in the civil proceedings and it did not exclude the jurisdiction of the civil court to decide whether there was any encroachment by the respondent on the property conveyed to the

¹ (2008) 3 SCC 243

² 1981 Supp SCC 38: 1981 SCC (Cri) 674

appellant under the sale certificate dated 7-6-1963 read with the corrigendum dated 22-9-1964 issued by the District Rent and Managing Officer, Simla, pursuant to the auction-sale held on 25-9-1955.

10. This Court held that it is obvious that since only the aforesaid question of law was referred by the Single Judge to the Division Bench, the Division Bench should have sent the matter back to the Single Judge after deciding the question of law referred to them. But instead the Division Bench proceeded to dispose of the second appeal on merits and dismissed it with costs. This Court further observed that: (Kesho Nath case, SCC p.39, para1)

"1....We think that the Division Bench was in error in following this procedure. The Division Bench ought to have sent the appeal back to the Single Judge with the answer rendered by them to the question referred by the Single Judge and left it to the Single Judge to dispose of the second appeal according to law."

11. Same view was reiterated by this Court in Kerala State Science³. In that case this Court after referring to earlier decisions in para 8 held as under: (SCC p. 262)

"8. It is fairly well settled that when reference is made on a specific issue either by a learned Single Judge or Division Bench to a larger Bench i.e. Division Bench or Full Bench or Constitution Bench, as the case may be, the larger Bench cannot adjudicate upon an issue which is not the question referred to."

³ (2006) 6 SCC 258

4) As such, the learned Advocate General contends that it is only reference which can be answered by the Division Bench. Except that, the Division Bench cannot pass any orders either granting or refusing bail or passing any interim order.

5) In view of the above judgment of the Hon'ble Apex Court, we are not inclined to pass any interim order, even without answering the reference.

6) Learned counsel for the petitioners in CrI.P.No.1461 of 2025 states that a protection order was already granted by the learned Single Judge in his favour, even before referring the matter to the Division Bench.

7) As requested by the learned Advocate General stating that these matters require considerable time, post all these matters on the reopening day i.e. 16.06.2025."

SD/- K.SRINIVASA RAJU
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

For /

To,

3. The Station House Officer, Dharmavaram I Town Police Station, Sri Satya Sai District.
4. The Station House Officer, Chilakaluripeta Town P.S., Guntur District.
5. The Station House Officer, Hindupur Rural Police Station, Sri Satya Sai District
6. The Station House Officer, Patamata Police Station, Vijayawada City, NTR District.
7. The Station House Officer, Podalakur Police Station, Nellore District.

8. The Station House Officer, Muvvalavanipalem Police Station,
Visakhapatnam City.
9. The Station House Officer, Police Station, Nandyala -II Town,
Nandyala Mandal and District.
10. Pilli Koteswar Rao, S/o Pilli Subba Rao, R/o D.No.11-428 East
Mallapali Village, Chilakaluripeta.
11. Birru Rajasekhar, S/o.B.Rajanna, R/o. D.No.1-11-175,
Abaadpet, Hindupur, Sri Satya District-515671.
12. Mollangi Elijebeth Rani, W/o. M. Abraham, R/o.28/759-4-4,
N.G.O's Colony, Nandyala Town, Nandyala Mandal and District,
Andhra Pradesh. (Addressee Nos.10 to 12 by **RPAD**)
13. Two CCs to the Advocate General, High Court of AP [OUT]
14. One CC to M/s O.M.R.Law Firm, Advocate [OPUC]
15. One CC to Sri Geddada Srinivas, Advocate [OPUC]
16. One CC to Sri Ravuri Leela Sai Sampath, Advocate [OPUC]
17. One CC to Sri Kiran Tirumalasetti, Advocate [OPUC]
18. One CC to Sri M.R.K.Chakravarthy, Advocate [OPUC]
19. One CC to Sri S.Dushyanth Reddy, Advocate [OPUC]
20. One CC to Sri V.V.Lakshmi Narayana, Advocate [OPUC]
21. One CC to Sri Abdus Saleem, Advocate [OPUC]
22. Three CCs to Public Prosecutor, High Court of AP [OUT]
23. Two spare Copies

HIGH COURT

KSR,J

&

VS,J

DATED:08/05/2025

**POST ALL THESE MATTERS ON THE REOPENING DAY I.E.,
16.06.2025**

ORDER

**CRLP NO: 7844 OF 2024 AND 1461, 2147, 2274, 2697, 3344 AND 3454
OF 2025**



DIRECTION