

**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
FRIDAY, THE TWENTY FIRST DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE**

: PRESENT:

THE HONOURABLE SRI JUSTICE T MALLIKARJUNA RAO

CRIMINAL PETITION NO: 2310 OF 2025



Between:

1. Shaik Nabeesha Asif @ Asif, S/o Yusuf, aged 28 years, R/o 13th line, Swarnabharathi Nagar, Guntur Town. Guntur District.
2. Shaik Younus, S/o Yusuf, aged 30 years, R/o 13th line, Swarnabharathi Nagar, Guntur Town. Guntur District

Petitioner/Accused

AND

The State of Andhra Pradesh, Through S.H.O., Medikonduru Police Station
Guntur District Rep. by its Public Prosecutor, High Court of A.P. Amaravathi.

Respondent/Complainant

Petition under Section 437 and 439 of Cr.P.C, (Section 480 & 483 of BNSS) praying that in the circumstances stated in the grounds filed in support of the Criminal Petition, the High Court may be pleased to enlarge the petitioners/Accused No.1 & 3 on bail in Crime No. 341 of 2024 of Medikonduru Police Station, Guntur District.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Ms.Marella Radha, Advocate for the Petitioner, and of Public Prosecutor for the Respondent, the Court made the following.

ORDER



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

[3369]

**FRIDAY, THE TWENTY FIRST DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE**

**PRESENT
THE HONOURABLE SRI JUSTICE T MALLIKARJUNA RAO**

CRIMINAL PETITION NO: 2310/2025

Between:

Shaik Nabeesha Asif @ Asif, and Others

...PETITIONER/ACCUSED(S)

AND

The State Of Andhra Pradesh

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused(S):

1. MARELLA RADHA

Counsel for the Respondent/complainant:

1. PUBLIC PROSECUTOR

The Court made the following Order:

This Criminal Petition, u/Sec.480 & 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, has been filed by the petitioners/A1 & A3, seeking bail, in Crime No.341/2024 of Medikonduru Police Station, Guntur District.

2. A case has been registered against the petitioners for the offences punishable u/Secs. 78(2), 115(2), 351(2) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023. Later, added Section 307 and 383 of the IPC (Sections 109 & 308(4) of the BNS).

3. Heard learned counsel for the petitioners and the learned Assistant Public Prosecutor representing the respondent/State.

4. The case of the prosecution in brief is that:

On 21.12.2024, the *de facto* complainant reported stating that she fell in love the 1st petitioner, while so, she blocked the phone number of 1st petitioner but he used to contact her thorough other phone numbers. Though the marriage of 1st petitioner was fixed with another lady, he used to harass her, so, the *de facto* complainant informed the same to the lady with whom the 1st petitioner's marriage was fixed. Knowing about the same, petitioners along with other accused went to Community Health Centre, Siripuram, tied chunny around her neck, tried to kill her, beat her with hands and obtained signature on paper forcibly stating that she is no way connected with the 1st petitioner and took away her cell phone along with another cell phone provided by the Government. As such, she tried to commit suicide and hence the present crime was registered.

4. Learned counsel for the petitioners contended that petitioners have been in judicial custody from 07.01.2025. Though adding of Section 307 and 383 of the IPC against these accused to deprive their right to grant bail, but those sections are not attracted against these petitioners. As all the offences are punishable with less than 7 years of imprisonment, prays to allow the criminal petition.

5. On the other hand, learned Assistant Public Prosecutor opposed to grant bail to the petitioner.

6. Considering the submissions made and on perusal of the material on record, it seems that no injury has been caused to the victim based on the accusation made in the report that an attempt was made, the case came to be registered under Section 307 of IPC. The petitioners have been in judicial custody from 07.01.2025, by this time most of the investigation might have been completed. It is submitted that the petitioners have permanent abode and there is no possibility of them fleeing away from justice and the release of the petitioners would not cause tampering of evidence and hampering of investigation. As such, this Court is inclined to grant bail to the petitioners.

7. In the result, the criminal petition is allowed with the following conditions:

i. The petitioners/accused Nos.1 & 3 herein shall be released on bail on their executing a personal bond for Rs.20,000/- (Rupees twenty thousand only) with two (02) sureties for a like sum each to the satisfaction of the learned V Additional Junior Civil Judge, Guntur; and

ii. That the petitioners are directed not to hamper the investigation and tamper with the prosecution witnesses and they shall cooperate with the investigation.

Sd/- P.U.V. BHASKAR RAO
ASSISTANT REGISTRAR


SECTION OFFICER

//TRUE COPY//

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To,

1. The V Additional Junior Civil Judge, Guntur
2. The Superintendent, Sub-Jail, Guntur
3. The S.H.O., Medikonduru Police Station, Guntur District
4. One CC to Ms.Marella Radha Advocate [OPUC]
5. Two CCs to Public Prosecutor, High Court of Andhra Pradesh [OUT]
6. One spare copy

HIGH COURT

TMR, J

DATED: 21/03/2025

BAIL ORDER

CRLP.No.2310 of 2025

ALLOWED

