



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

[3396]

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

PRESENT

THE HONOURABLE DR. JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL APPEAL NO: 125/2025

Between:

NALLURI RAJASEKHAR, S/O. RAMAKRISHNA MURTHY, AGED 37
YEARS, OCC AGRICULTURIST R/O. UPPUGUNDURU VILLAGE,
NAGULUPPALAPADU MANDAL PRAKASAM DISTRICT.

...APPELLANT

AND

1. THE STATE OF ANDHRA PRADESH, REP BY ITS PUBLIC
PROSECUTOR HIGH COURT OF ANDHRA PRADESH AT
AMARAVATI THROUGH THE STATION HOUSE OFFICER N.G.
PADU RURAL STATION, PRAKASAM DISTRICT.

...RESPONENT

Counsel for the Appellant:

1. KAMBHAMPATI RAMESH BABU

Counsel for the Respondent:

1. PUBLIC PROSECUTOR

The Court made the following:

JUDGMENT:

The instant criminal appeal has been filed by the Appellant/Accused seeking to set aside the Order dated 03.02.2025 passed in CrI.M.P.No.63 of 2025 in Crime No.189 of 2024 on the file of the Court of VII Additional District and Sessions Judge, Ongole and to grant anticipatory bail to him.

2. Case of the prosecution, in brief, is that, in the early hours of 28.12.2024 at Uppugunduru Village of N.G.Padu Mandal, when the *De facto Complainant*,

who belongs to SC Mala Community, being an auto driver, stopped his auto and while he was attending urinals, the Appellant, who is a rowdy sheeter, shouted at him and also abused him by touching his caste staying “Maala Naa Kodaka”, further assaulted him with hands and legs indiscriminately, attacked him with a small knife and caused abrasion on his left side abdomen. Based on the complaint given by the De facto Complainant, a case in Crime No.189 of 2024 on the file of N.G.Padu Rural Police Station, has been registered against the Appellant herein for the offences under Section 109 (2) of BNS and Section 3 (1) (r) (s) and 3 (2) (va) of SCs & STs (PoA) Act.

3. Heard Sri Kambhampati Ramesh Babu, learned counsel for the Appellant/Accused and Ms.K.Priyanka Lakshmi, learned Assistant Public Prosecutor representing the State/Respondent.

4. Learned counsel for the Appellant/Accused would submit that the Appellant herein is falsely implicated in the present case and the allegations leveled against him are false and baseless. Learned counsel would further submit that there are no grave allegations against the Appellant. Learned counsel would finally submit that the Appellant is innocent of the criminal charges leveled against him in the present case. Hence, prayed to grant anticipatory bail to the Appellant.

5. Learned Assistant Public Prosecutor vehemently opposed the petition and would submit that the Appellant is a rowdy sheet and eight other cases were also registered against him. Learned Assistant Public Prosecutor conceded that the Appellant was acquitted from five criminal cases, which

were lodged against him. It is submitted that specific allegations are made against the Appellant in the commission of the alleged crime and material part of investigation is pending in the present crime. Hence, prays for dismissal of the petition.

6. Perusal of the material on record would disclose that, the anticipatory bail application filed by the Appellant herein before the learned VII Additional District and Sessions Judge, Ongole has been dismissed *vide* Order dated 03.02.2025 in CrI.M.P.No.63 of 2025. It is alleged against the Appellant that, on one occasion, he boarded the auto of the *De facto Complainant* and has not paid the amount and when questioned, there arose a quarrel between them. In view of the same, on 28.12.2024 at about 2.30 a.m., while the *De facto Complainant* was returning home and got down from his auto to attend urinals, the Appellant, who was there by that time, shouted against him, abused him in filthy language in the name of his caste, beat him with hands and kicked him with legs and also tried to stab with a knife and thereby caused abrasion on his stomach. As seen from the complaint, there are specific allegations leveled against the Appellant in the commission of the alleged offences. Admittedly, the Appellant involved in several other crimes, and the material part of the investigation in the present crime is pending. In view of the facts and circumstances of the present case, this Court is of the view that, though it is not the stage to decide the culpability of the Appellant, in view of the allegations to *prima facie* attract the offence under the provisions of SCST Act against the Appellant, the question of granting

anticipatory bail to him, at this stage, does not arise. The appeal lacks merit and the same is liable to be dismissed.

7. Resultantly, the Criminal Petition is dismissed.

As a sequel thereto, miscellaneous petitions pending, if any, shall stand closed.

Date:21.03.2025
Dinesh

Dr.JUSTICE VENKATA JYOTHIRMAI PRATAPA

THE HONOURABLE DR. JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL APPEAL No.125 of 2025

DATE:21.03.2025

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