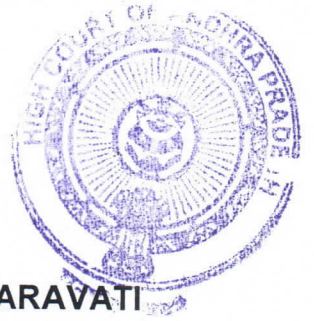




IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

WEDNESDAY, THE NINETEENTH DAY OF MARCH,

TWO THOUSAND AND TWENTY FIVE

:PRESENT:

HONOURABLE SRI JUSTICE T MALLIKARJUNA RAO

CRIMINAL PETITION NO: 2664 OF 2025

Between:

Komali Naga Krishna Prabhakar, S/o K Srinu, Aged 28 years, 1-211,
Lalacheruvu, Rajanagaram, East Godavari, Andhra Pradesh

...Petitioner/Accused –A2

AND

The State of Andhra Pradesh, Rep. by its Public Prosecutor, Through
Rajahmundry I Town PS, East Godavari District, Amaravathi, Guntur
District.

...Respondent/Complainant

Petition under Section 438 Cr.P.C (Section 482 of BNSS, 2023 Act)
is filed praying that in the circumstances stated in memorandum of
grounds of Criminal Petition, the High Court may be pleased to allow the
Petition and consequently to Grant Anticipatory Bail, directing the I Town
Rajahmundry Police Station, East Godavari District to Release the
Petitioner/Accused A2 involved in Crime No.2 of 2025 of Rajahmundry I
Town L&O Police Station, East Godavari District in the event of his arrest;

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



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

[3369]

WEDNESDAY, THE NINETEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE T. MALLIKARJUNA RAO

CRIMINAL PETITION NO: 2664/2025

Between:

Komali Naga Krishna Prabhakar,

...PETITIONER/ACCUSED

AND

The State Of Andhra Pradesh

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused:

1.DEVASRI ROSHAN KANCHARLA

Counsel for the Respondent/complainant:

1.PUBLIC PROSECUTOR

The Court made the following ORDER:

1. This Criminal Petition, under Sections 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') has been filed by the Petitioner/A.2, seeking anticipatory bail, in Crime No.2 of 2025 of Rajahmundry I Town Police Station, East Godavari District.
2. A case has been registered against the petitioner and others for the offences punishable under Section 7-B r/w. Section 8(8) of A.P. Prohibition (Amendment) Act, 2020.
3. Heard learned counsel for the Petitioner/A.2 and the learned Assistant Public Prosecutor representing the Respondent/State.
4. The case of the prosecution, in brief, is that, on 02.01.2025 at about 02.00 P.M., the Sub-Inspector of Police has conducted raid along with his staff

of I Town L&O Police Station, and arrested A.1 and seized 20 Litres of I.D. Liquor, worth Rs.6000/- from A.1's possession under the cover of occurrence report. The I.D. arrack supplier, who is the petitioner (A.2) in this case, was found to have absconded from the scene of the offence. Based on the confession made, the name of the petitioner (A.2) was subsequently included in the F.I.R.

5. Learned counsel for the Petitioner/A.2 contends that except the confessional statement said to be made by A.1, no other independent evidence or material has been collected.

6. On the other hand, learned Assistant Public Prosecutor opposed the grant of bail to the petitioner on the ground that one criminal antecedent has been reported against him.

7. To appreciate the submission made on behalf of the petitioner, I have reviewed the occurrence report and other materials placed on record. The case against the petitioner is primarily based on the confessional statement in which A.1 claims to have purchased the I.D. liquor from the petitioner (A.2). Except the confessional statement, no other independent evidence has been gathered, despite the crime being registered on 02.01.2025. It has been submitted that the petitioner has a permanent residence at Lalacheruvu, Rajanagaram, and there is no credible reason to believe that he may flee from justice.

8. In view of the aforesaid facts and circumstances of the case, this Court finds that anticipatory bail can be granted to the Petitioner/A.2 under certain conditions:

- i) In the event of his arrest, the petitioner/A.2 shall be enlarged on bail on his executing a personal bond for a sum of **Rs.10,000/-** (Rupees Ten Thousand only) with one surety of the like sum to the satisfaction of the concerned Investigating Officer.

- ii) The petitioner/A.2 shall attend before the concerned Investigating Officer once in a fortnight i.e., on every Sunday between 10.00 AM and 01.00 PM for a period of three (3) months from today.
- iii) The petitioner/A.2 shall cooperate with the investigation and he shall make himself available for interrogation by a police officer as and when required, and he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer.
9. Accordingly, the Criminal Petition is **allowed**.

Miscellaneous Petitions pending, if any, shall stand closed.

//TRUE COPY//

For

SD/-B.CHITTI JOSEPH
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The Station House Officer, Rajahmundry I Town L & O Police Station, East Godavari District
2. One CC to Sri. Devasri Roshan Kancharla, Advocate [OPUC]
3. Two CCs to Public Prosecutor, High Court of AP [OUT]
4. One spare copy

MM



HIGH COURT

TMR,J

DATED:19/03/2025

ORDER

CRLP.No.2664 of 2025

ALLOWED

