

[3369]

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

WEDNESDAY, THE NINETEENTH DAY OF MARCH

TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE T MALLIKARJUNA RAO

CRIMINAL PETITION NO: 2687 OF 2025



Between:

1. Janga Santhosa Rao, S/o (Late) Jaya Rap, Indian, Aged about 44 years, Sarpanch of Battinapadu Village, Kanchikacherla Mandal, R/o Dr. No. 167, Battinapadu Village, Kanchikacherla Mandal, NTR District.
2. Janga Nani, S/o (Late) Jaya Rao, Indian, Aged about 33 years, Private Executive, R/o Dr. No. 166, Battinapadu Village, Kanchikacherla Mandal, NTR District.

Petitioners/Accused 1 & 2

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 BNSS (438 of Cr.P.C.,) praying that in the circumstances stated in the affidavit filed in support of the Criminal Petition, the High Court may be pleased to release the Petitioners on bail in the event of their arrest in connection with Cr. No. 373 of 2024 Dated 25.12.2024 on the file of Kanchikacherla PS., NTR District ✓

COUNSEL FOR THE PETITIONER : SRI. VENKAT CHALLA

COUNSEL FOR THE RESPONDENT : PUBLIC PROSECUTOR

THE COURT MADE THE FOLLOWING ORDER



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: 2687/2025

Between:

Janga Santhosa Rao and Others

...PETITIONER/ACCUSED(S)

AND

The State Of Andhra Pradesh

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused(S):

1. VENKAT CHALLA

Counsel for the Respondent/complainant:

1. PUBLIC PROSECUTOR

The Court made the following ORDER:

1. The Criminal Petition, under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') has been filed by the Petitioners/A.1 and A.2, seeking anticipatory bail, in Crime No.373 of 2024 of Kanchikacherla Police Station, NTR Commissionerate.
2. A case has been registered against the petitioners and others for the offences punishable under Section 329(4), 109(1), 351(2) r/w. Section 3(5) of Bharatiya Nyaya Sanhita, 2023 (for short, 'BNS').
3. Heard learned counsel for the Petitioners/A.1 and A.2 and the learned Assistant Public Prosecutor representing the Respondent/State.
4. The case of the prosecution, in brief, is that, the land of the defacto complainant is situated beside the land of A.1. On 23.12.2024 while watering

to their lands from Sagar Canal, a quarrel took place between defacto complainant and A.1 and in view of the same, A.1 to A.8 criminally trespassed into the house of the defacto complainant, A.1 beat him with stout stick on his head and caused injury on left side of the head and at that time, the wife of the defacto complainant tried to rescue her husband. At that time, A.3 beat her with a stout stick on her head and left eye. A.4 and A.5 beat Janga Narasimha Rao on his left eye, A.2 and A.6 to A.8 also attacked to kill them and threatened them with dire consequences and also committed criminal intimidation.

5. Learned counsel for the Petitioners/A.1 and A.2 submits that earlier this Court was pleased to grant anticipatory bail to A.4 to A.8. In light of this, learned counsel requests that the same relief be extended to the present Petitioners.
6. On the other hand, the learned Assistant Public Prosecutor opposed the grant of bail to the Petitioners, contending that the investigation is still ongoing and has not yet been completed.
7. Heard. Perused the material on record.
8. A perusal of the order dated 19.02.2025 in CrI.P.No.551 of 2025 reveals that no specific overt acts have been attributed to the accused. However, upon reviewing the contents of the petition, a particular allegation has been made against A.1, stating that A.1 beat the de facto complainant on the head with a stout stick, causing injury to the left side of the head. Considering these facts and the serious nature of the allegations leveled against Petitioner A.1, this Court finds that it is not a fit case to grant bail to the petitioner.
9. So far as the Petitioner/A.2 is concerned, no specific accusations have been made against him. Furthermore, the case of Petitioner A.2 is on the same footing as that of A.4 to A.8, who were granted anticipatory bail in CrI.P.No.551 of 2025.

10. In view of the facts and circumstances of the case, this Court finds that the petition filed by Petitioner A.1 is hereby **dismissed**. However, anticipatory bail is granted to Petitioner A.2 under the same terms and conditions as imposed in the order dated 19.02.2025 in CrI.P.No.551 of 2025, which are as follows:

- 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 two sureties for the like sum each to the satisfaction of the arresting police officials.
- ii) The petitioner/A.2 shall make himself available for investigation as and when required and that he shall not cause any threat, inducement or promise to the prosecution witnesses.
- iii) The petitioner/A.2 shall appear before the Station House Officer, Kanchikacherla Police Station, once in a week i.e. on every Sunday between 10.00 A.M. and 5.00 P.M. till filing of the charge sheet.

11. Accordingly, the Criminal Petition is **partly allowed**.

Miscellaneous Petitions pending, if any, shall stand closed.

SD/- V.SAVITHRI GOWRI
ASSISTANT REGISTRAR
SECTION OFFICER

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Station House officer, Kanchikacherla PS., NTR District
2. One CC to SRI. VENKAT CHALLA Advocate [OPUC]
3. Two CCs to PUBLIC PROSECUTOR, High Court of A.P.[OUT]
4. **One spare copy**

HIGH COURT

TMR,J

DATED:19/03/2025

BAIL ORDER

CRLP.No.2687 of 2025

PARTLY ALLOWED

