

APHC010149092026



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

[3396]

THURSDAY, THE SECOND DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL PETITION NO: 2274/2026

Between:

1. GANDRETI APPANNA, S/O. MODAYYA, AGED ABOUT 70 YEARS, R/O. MODAVALASA VILLAGE 8S POST, DENKADA MANDAL, VIZIANAGARAM DISTRICT.
2. GANDRETI GANESH, S/O. APPANNA, AGED ABOUT 43 YEARS, R/O. MODAVALASA VILLAGE POST, DENKADA MANDAL, VIZIANAGARAM DISTRICT.

...PETITIONER/ACCUSED(S)

AND

THE STATE OF ANDHRA PRADESH, rep. by the Public Prosecutor, High Court of Andhra Pradesh at Amaravathi.

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused(S):

1. P DURGA PRASAD

Counsel for the Respondent/complainant:

1. PUBLIC PROSECUTOR

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA**CRIMINAL PETITION NO: 2274 /2026****ORDER :**

The Criminal Petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity 'the BNSS') by the Petitioners/Accused Nos.2 and 3 for granting of pre-arrest bail in connection with Crime No.20 of 2026 of Denkada Police Station, Vizianagaram District, registered for the alleged offences punishable under Section 6 read with 5(1), 17 of Protection of Children from Sexual Offences Act, 2012, Section 64(2)(m), 49, 87,127(2), 308(2), 351(2), read with 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for brevity 'the BNS') and Sections 9, 10, 11(1) of Prohibition of Child Marriage Act, 2006.

2. Heard Sri P.Durga Prasad, learned Counsel for the petitioners, Sri Sravan Kumar Naidana, learned counsel for the respondent No.2/complainant and Mrs.K.Priyanka Lakshmi, learned Assistant Public Prosecutor on behalf of the Respondent No.1-State.

3. The case of the prosecution, in brief, is that the de facto complainant lodged a complaint stating that her marriage with A.1 was performed against her will and without her consent. It is further alleged that after the marriage, she was sent to the house of her parents-in-law, where she was forced to join the company of A.1 and lead a conjugal life against her wishes by the other accused. It is the further case of the prosecution that A.1 subjected her to continuous sexual harassment and cruelty. Unable to bear the said acts of

harassment, the de facto complainant approached the police and lodged the present complaint. Basing on the said complaint, a case was registered against the accused for the offences punishable under the relevant provisions of law, and the matter is under investigation.

4. Learned counsel for the petitioner would submit that the marriage of A.1 and victim girl took place on 23.04.2025 and the crime is registered against the petitioners on 31.01.2026. There is dispute between A.4 and the police, due to which the petitioners were dragged into the present case. The offence under Section POCSO Act is not applicable against the petitioners. The petitioners are village elders. The learned counsel submits that the petitioners are ready and willing to abide by any conditions that may be imposed by this Court and, therefore, prays that this Court may be pleased to allow the petition by imposing appropriate conditions.

5. Learned counsel for the *defacto* complainant vehemently opposed the petition and submitted that the petitioners/A.2 and A.3 have criminal antecedents. A.1 is follower of A.2 and A.3. When the mother of the victim was in vulnerable condition, the petitioners herein threatened and forced her to perform the marriage of her daughter with A.1 who is their follower. He would further submit that the investigation is not completed.

6. Learned Assistant Public Prosecutor would submit that the petitioners/A.2 and A.3 have criminal antecedents and that the investigation is not completed. She would further submit that the petitioners played a crucial

role for performing the child marriage with their follower which the offence punishable under Section Prohibition of Child Marriage Act, 2006. Therefore, she prayed that the petition be dismissed.

7. Considering the submissions made and upon careful perusal of the material on record, this Court finds that the allegations against the petitioners/A.2 and A.3 are grave in nature, as they *prima facie* disclose their active involvement in facilitating a child marriage, constituting an offence punishable under the Prohibition of Child Marriage Act, 2006. Further, the statement of the victim recorded under Section 164 Cr.P.C. also *prima facie* indicates the complicity of the petitioners. The investigation is still at a crucial stage and the criminal antecedents attributed to the petitioners weigh against the grant of anticipatory bail. In such circumstances, this Court is not inclined to grant anticipatory bail to the petitioner at this stage.

8. Accordingly, this Criminal Petition is dismissed.

As a sequel thereto, the miscellaneous applications, if any, pending in this Criminal Petition shall stand closed.

DR.VENKATA JYOTHIRMAI PRATAPA, J

Date: 02.04.2026
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THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL PETITION NO: 2274 of 2026

Dt: 02.04.2026

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