



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

[3396]

**TUESDAY, THE SEVENTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE DR. JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL PETITION NO: 2392/2026

Between:

GURUNADHAM RAMESH, S/O. LATE. CHINNA KONDAIAH @
KONDAIAH @ VENKATAIAH, AGED ABOUT 40 YEARS, R/O.
YANADHI SANGAM, PONNALURU VILLAGE AND MANDAL,
PRAKASAM DISTRICT.

...PETITIONER/ACCUSED

AND

THE STATE OF ANDHRA PRADESH, REP. BY ITS PUBLIC
PROSECUTOR AT HIGH COURT OF ANDHRA PRADESH,
NELAPADU, AMARAVATHI.

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused:

1.KOPPARTHI SUMATHI

Counsel for the Respondent/complainant:

1.PUBLIC PROSECUTOR

The Court made the following:

ORDER:

The instant Criminal Petition is filed under Sections 480 & 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS'), by the Petitioner / Accused seeking regular bail in connection with Crime No.28 of 2025 on the file of Podalakur Police Station, SPSR Nellore District which is

registered for the offence under Section 103(1) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS').

2. The case of the prosecution, in precise, is that, on 01.03.2025 at about 02.11 hours, the Petitioner, with an intention to commit unnatural sex on the deceased, followed him with a wooden rafter, to the graveyard located at Sivalayam temple street, Podalakur. When the deceased resisted and revolted against the Petitioner, he beat the deceased with the wooden rafter on his head and face with an intention to kill. As a result, the deceased sustained bleeding injuries and fell down in the graveyard. The Petitioner committed unnatural sexual assault on the deceased and again beat the deceased with the wooden rafter on his head and caused his instantaneous death.

3. Heard Ms.Kopparthi Sumathi, learned counsel for the Petitioner and Ms.K.Priyanka Lakshmi, learned Assistant Public Prosecutor for State.

4. Learned counsel for the Petitioner would submit that the Petitioner has not committed the alleged offence and is falsely implicated in the present crime. It is submitted that the Petitioner has been in judicial custody since 07.03.2025. Learned counsel would further submit that the investigation in the present crime has been completed, charge sheet has been filed, the same is numbered as S.C.No.215 of 2025 and the matter is coming up for fixing trial schedule from December, 2025. But, till this day, trial schedule has not been given. Learned counsel would further submit that, in this case, no further investigation is required and hence, prayed to enlarge the Petitioner on bail.

5. Learned Assistant Public Prosecutor though submits that the investigation in the present crime has been completed and charge sheet has also been filed, opposed the petition and contends that this is a heinous crime of murder committed by the Petitioner on an innocent beggar for quenching his unnatural lust. It is further submitted that as charge sheet is being filed, there is likelihood of witness tampering or intimidation if bail is granted.

6. Considering the rival submissions advanced on either side and upon careful perusal of the material available on record, this Court is of the considered view that the allegations levelled against the Petitioner are grave and serious in nature. The record, at this stage, reveals the presence of *prima facie* material indicating the involvement of the Petitioner in the commission of the alleged offence. It is also pertinent to note that, mere filing of the charge sheet does not automatically entitle an Accused to regular bail. The settled position of law is that filing of the charge sheet is only one of the factors to be considered and cannot override other material considerations such as the gravity of the offence, the nature of evidence collected, and the likelihood of the Accused influencing witnesses or tampering with evidence. There is no change of circumstances from the date of dismissal of the earlier application. In such circumstances, this Court is of the view that, there is no justifiable ground to exercise the discretion in favour of the Petitioner. Therefore, this Court is not inclined to grant bail to the Petitioner at this stage.

7. Accordingly, the Criminal Petition is dismissed. However, the learned trial Judge is directed to proceed with the matter and dispose of the case as

expeditiously as possible, since the Petitioner / Accused has been in judicial custody since 07.03.2025, without adjourning the matter in a casual way by mere asking and report the progress of the case to the Registrar (Judicial) by 07.05.2026.

Pending applications, if any, shall stand closed.

Dr.JUSTICE VENKATA JYOTHIRMAI PRATAPA

Date:07.04.2026
Dinesh

HON'BLE DR. JUSTICE VENKATA JYOTHIRMAI PRATAPA

Crl.P.No.2392 of 2026

Dt.07.04.2026

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