



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

[3396]

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

PRESENT

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL PETITION NO: 2408/2026

Between:

1.YEDUPATI ABHILASH, S/O YEDUPATI MALYADRI, AGE YEARS,OCC
BUSINESS, R/O YAGANTI PARKWOOD APARTMENTS,12TH LANE,
SHRAM NAGAR,GORANTIA, GUNTUR DISTRICT, AP.-522034

...PETITIONER/ACCUSED

AND

1.THE STATE OF ANDHRA PRADESH, REP. BY THE PUBLIC
PROSECUTOR, HIGH COURT OF ANDHRA PRADESH AT
AMARAVATI.

2.LAMBADI SHANMUKHA SOM, S/O. RAMA NAIK, AGED ABOUT 31
YEARS, RESIDENT OF FLAT NO.301, CAPITAL WAY - 1
APARTMENT, 2ND LINE, SAINATH COLONY, INNER RING ROAD,
GORANTLA, GUNTUR DISTRICT, ANDHRA PRADESH.
RESPONDENT NO.2 IS IMPEADED AS PER THE COURT ORDER
DATED 08.04.2026 IN I.A.NO.1 OF 2026 IN CRL.P.NO.2408 OF 2026.

...RESPONDENT/COMPLAINANT(S):

Petition under Section 437/438/439/482 of Cr.P.C and 528 of BNSS
praying that in the circumstances stated in the Memorandum of Grounds of
Criminal Petition, the High Court pleased to direct the S.H.O., Pattabhipuram
P.S, Guntur District to enlarge the petitioner/AI on bail in the event of his
arrest in connection with Crime No.568 of 2025 of Pattabhipuram P.S, Guntur
District and to pass

IA NO: 1 OF 2026

Petition under Section 482 of Cr.P.C and 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition,the High Court may be pleased May be pleased to implead the proposed respondents Nos.2 as party respondent in CRLP.No.2408 of 2026 along with other Interlocutory Applications in the main Criminal Petition for effective adjudicating the matter and pass

Counsel for the Petitioner/accused:

1.V V LAKSHMI NARAYANA

Counsel for the Respondent/complainant(S):

1.ELURU SESA MAHESH BABU

2.PUBLIC PROSECUTOR

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA**CRIMINAL PETITION NO: 2408/2026****ORDER :**

The Criminal Petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity 'the BNSS') by the Petitioner/Accused No.1 for granting of pre-arrest bail in connection with Crime No.568 of 2025 of Pattabhipuram P.S, Guntur District, registered for the alleged offences punishable under Section 140(2), 308(5), 115(2) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for brevity 'the BNS').

2. Heard Sri V.V.Lakshmi Narayana, learned Counsel for the petitioner, Sri Eluru Sesha Mahesh Babu, learned counsel for the respondent No.2/complainant and Mrs.K.Priyanka Lakshmi, learned Assistant Public Prosecutor for the State.

3. The case of the prosecution, in brief, is that that the de facto complainant was intercepted by unknown persons who impersonated themselves as narcotics police officers and forcibly shifted him to another location where they demanded Rs.50,00,000/- to avoid implicating him in a case. Upon his refusal, he was assaulted. It is further stated that Ashok and Abhilash were also brought to the said place and were similarly assaulted by the persons and released them when they paid an amount. Thereafter, the persons have forcibly taken an amount of Rs.3,00,000/- from the de facto complainant. Basing on the said complaint, a case has been registered.

4. Learned counsel for the petitioner would submit that the petitioner herein is arrayed as Accused No.1 in the present case. It is contended that the petitioner is innocent and has no manner of involvement in the alleged offence. Learned counsel would further submit that the petitioner/Accused No.1, along with the complainant, was also a victim in the said incident. It is further submitted that, except for the alleged confession statements of Accused Nos.5 and 6, there is no iota of evidence linking the petitioner with the alleged crime. Learned counsel for the petitioner would further submit that this is the second bail application filed by the petitioner before this Court. The earlier bail application filed by the petitioner was dismissed by this Court vide order dated 03.03.2026 in CrI.P.No.1333 of 2026. Learned counsel submits that the petitioner is ready and willing to abide by any conditions that may be imposed by this Hon'ble Court and, therefore, prays that this Court may be pleased to allow the petition by imposing appropriate conditions. He would further submit that on 15.01.2026, a police constable called the petitioner and demanded a bribe. It is further contended that the Investigating Officer is not conducting a fair investigation, and therefore, he seeks change of the Investigating Officer.

5. Learned counsel for respondent No.2 vehemently opposed the petition and submitted that the father of the petitioner and the de facto complainant are partners in a firm. It is further submitted that disputes have arisen between them with regard to the business carried on by the said firm. The petitioner played a role of victim. Learned counsel for the respondent No.2 would further

submit that the petitioner using his influence in local politics threatening the respondent No.2 to withdraw the case. Hence, it is prayed that the Investigating Officer may be changed.

6. Learned Assistant Public Prosecutor vehemently opposed the petition and submitted that the investigation in the present matter is still in progress. It is submitted that, based on the confession statements of Accused Nos. 5 and 6, the petitioner has been arrayed as Accused No.1 in the present case. Learned Assistant Public Prosecutor further contended that the petitioner does not deserve the relief of anticipatory bail as a *prima facie* case has been made out against him based on the material collected during the course of investigation. She would further submit that there are no changes of circumstances from the date of dismissal of earlier bail application. Therefore, she prayed that the petition be dismissed.

7. Considering the submissions made and upon careful perusal of the material on record, and in view of the nature and gravity of the offence alleged against the petitioner and considering the fact that there are no change of circumstances from the date of dismissal of the earlier bail application, this Court is of the opinion that it is not desirable to grant anticipatory bail to the petitioner at this stage.

8. In view of the above said facts and circumstances, this Criminal Petition is dismissed. In so far as the request for change of Investigating Officer is concerned, it is beyond the scope of the anticipatory bail application. In that

view of the matter, the petitioner/accused No.1 and respondent No.2/de facto complainant are at liberty to work out their remedies before the appropriate forum in accordance with law.

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

DR.VENKATA JYOTHIRMAI PRATAPA, J

Date: 16.04.2026.
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THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

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Dt: 16.04.2026

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