

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

TUESDAY, THE SEVENTH DAY OF APRIL,

TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL PETITION NO: 2444 OF 2026



Between:

1. Pothulayya, S/o Potala Kullayappa, Aged about 43 years, R/o D.No. 1-126, B.C Colony, Vankarakunta Village, Nallamada Mandal, Sri Satyasai Dist
2. Pothula Saraswathi, W/o Potala Pothulayya, Aged about 37 years, R/o D.No.1-126, B.C Colony, Vankarakunta Village, Nallamada Mandal, Sri Satyasai Dist.

Petitioners/Accused A2, A3

AND

The State of Andhra Pradesh, Rep by its Public Prosecutor ,High Court of Andhra Pradesh, Amaravathi, Through Station House Officer, Nallamada P.S., Sri Satyasai District

Respondent/Complainant

Petition under Section 482 of BNSS., is filed praying that in the circumstances stated in the grounds filed in support of the petition, the High Court may be pleased to grant anticipatory bail in Crime No.120 of 2025 dated 19-12-2025 on the file of Nallamada Police Station, Sri Satyasai District and to release the Petitioners/ Accused A2,A3 herein in the event of their arrest in the interest of justice;

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri. M KARIBASIAH, Advocate for the Petitioners and of PUBLIC PROSECUTOR for the Respondent;

The Court made the following:



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

[3396]

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TWO THOUSAND AND TWENTY SIX
PRESENT

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA
CRIMINAL PETITION NO: 2444/2026

Between:

1. POTHULAYYA, S/O POTALA KULLAYAPPA, AGED ABOUT 43 YEARS, R/O D.NO.1-126, B.C COLONY, VANKARAKUNTA VILLAGE, NALLAMADA MANDAI, SRI SATYASAI DIST
2. POTHULA SARASWATHI, W/O POTALA POTHULAYYA, AGED ABOUT 37 YEARS, R/O D.NO.1426, B.C COLONY, VANKARAKUNTA VILLAGE, NALLAMADA MANDAI, SRI SATYASAI DIST.

...PETITIONER/ACCUSED(S)

AND

THE STATE OF ANDHRA PRADESH, REP BY ITS PUBLIC PROSECUTOR, HIGH COURT OF ANDHRA PRADESH, AMARAVATHI, THROUGH STATION HOUSE OFFICER, NALLAMADA P.S., SRI SATYASAI DISTRICT

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused(S):

1. M KARIBASAI AH

Counsel for the Respondent/complainant:

1. PUBLIC PROSECUTOR

The Court made the following:

ORDER:

The instant petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') has been filed by the Petitioners / Accused Nos.2 and 3, seeking anticipatory bail in connection with Crime No.120 of 2025 on the file of Nallamada Police Station, Sri Sathya Sai District, which is registered for the offences under Sections 118(1) and 109 read with 3(5) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS').

2. Heard Sri M.Karibasaiah, learned counsel for the Petitioners / Accused Nos.2 and 3 and Ms.K.Priyanka Lakshmi, Assistant Public Prosecutor for State / Respondent.
 3. Learned counsel for the Petitioners would submit that the Petitioners are innocent of the alleged offences and they are falsely implicated in the present crime. Learned counsel would further submit that the entire investigation is completed, except filing of charge sheet. It is further submitted that there are no criminal antecedents against the Petitioners. Learned counsel would submit that Petitioner No.2 is a lady and is in no way concerned with the alleged offences. It is further submitted that the Petitioners are ready to furnish sureties to the satisfaction of the Court. Hence, prayed to grant anticipatory bail to the Petitioners.
 4. Learned Assistant Public Prosecutor opposed the petition and submits that there are specific allegations against the Petitioners. It is further submitted there are no grounds to grant anticipatory bail to the Petitioners, at this stage. Hence, prayed for dismissal of the petition.
 5. Having regard to the submissions made and on perusal of the material available on record, this Court is of the considered view that, insofar as Petitioner/A.3 is concerned, taking into consideration her status as a woman, the absence of criminal antecedents, and the stage of investigation, custodial interrogation does not appear to be necessary. Therefore, Petitioner / A.3 is entitled to the discretionary relief of anticipatory bail. However, insofar as Petitioner/A.2 is concerned, in view of the specific allegations attributed to him
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and considering the stage of the case, this Court is not inclined to grant anticipatory bail to him at this juncture.

6. Accordingly, the Criminal Petition is **partly allowed**:

- (i) In the event of her arrest, the Petitioner/Accused No.3 shall be enlarged on bail on execution of a personal bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only), with two sureties for the like sum each to the satisfaction of the arresting police officials;
- (ii) The Petitioner / A.3 shall cooperate with the investigation and appear before the Investigating Officer as and when required.
- (iii) The Petitioner / A.3 shall not directly or indirectly threaten or influence the witnesses.
- (iv) The Petitioner / A.3 shall not tamper with the evidence in any manner.
- (v) The Petitioner / A.3 shall appear before the Station House Officer concerned twice in a month, i.e., on 2nd and 4th Sundays between 10:00 AM and 5:00 PM, till filing of charge sheet.

The petition is dismissed in respect of Petitioner / A.2.

Pending miscellaneous applications, if any, shall stand closed.

SD/- N.NAGAMMA
ASSISTANT REGISTRAR
SECTION OFFICER

//TRUE COPY//

To,

1. The Station House Officer, Nallamada Police Station, Sri Satyasai District.
2. One CC to Sri. M KARIBASAI, Advocate [OPUC]
3. Two CCs to the PUBLIC PROSECUTOR, High Court of Andhra Pradesh, Amaravati. [OUT]
4. One spare copy

JSS

HIGH COURT

DR.VJP, J

DATED:07/04/2026

BAIL ORDER

CRLP.No.2444 of 2026



PARTLY ALLOWED