



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

[3396]

FRIDAY, THE TWENTY FOURTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL PETITION NO: 3012/2026

Between:

1. ATLA ESWARAMMA, W/O. VENKATA REDDY, AGE ABOUT 54 YEARS, OCC HOUSE WIFE, R/O. AGHATHAVARAPADU VILLAGE, REDDY PALEM, PEDAKAKANI MANDAL, GUNTUR DISTRICT, AP
2. ATIA BALA KRISHNA REDDY,, S/O. VENKATA REDDY, AGED ABOUT 37 YEARS, OCC BUSINESS, R/O. AGHATHAVARAPADU VILLAGE, REDDY PALEM, PEDAKAKANI MANDAL, GUNTUR DISTRICT, AP.
3. TIYYAGURA HARI KRISHNA,, W/O. SESHU REDDY, AGED ABOUT 38 YEARS, OCC HOUSE WIFE, R/O. D NO. 1-83, GANNAVARAM VILLAGE, YUDDANPUDI MANDAL, PRAKASAM DISTRICT,
4. BHAVANAM GEETHA KRISHNA, W/O. SURESH KUMAR, AGED ABOUT 36 YEARS, OCC HOUSE WIFE, R/O. AGHATHAVARAPADU VILLAGE, REDDY PALEM, PEDAKAKANI MANDAL, GUNTUR DISTRICT, AP

...PETITIONER/ACCUSED(S)

AND

1. THE STATE OF ANDHRA PRADESH, ,Rep. by Public Prosecutor, High Court of A.P, Amaravati. Through Pedakakani P.S

...RESPONDENT/COMPLAINANT

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 enlarge the petitioners/ accused

No- 1 to 4 on bail in the event of their arrest in connection with crime NO.399 /2025 of Pedakakani P.S and pass such

Counsel for the Petitioner/accused(S):

1.A S NARAYANA

Counsel for the Respondent/complainant:

1.PUBLIC PROSECUTOR

The Court made the following:

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA**CRIMINAL PETITION NO: 3012 of 2026****Order:**

The Criminal Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity, 'the BNSS'), by the petitioners/Accused Nos.1 to 4 for granting of pre-arrest bail in connection with Crime No.399 of 2025 of Pedakakani Police Station, Guntur District, registered for the alleged offences punishable under Sections 416, 420, 465, 467, 468, 471 read with 34 IPC.

2. The case of the prosecution, in brief, is that the complainant on 11.09.2025 at 10.00 A.M., lodged report stating that he is working as Joint Sub-Registrar, Pedakakani and some fraudulent registrations had occurred by suppressing of facts and impersonation. The District Registrar, Guntur, after detailed enquiry, submitted a report wherein stating that the following facts were established. It is also alleged that certain cancellation deeds were fraudulently brought into existence using fake Aadhaar Numbers even in the names of deceased persons. The enquiry revealed impersonation, forgery, use of fabricated documents, false declarations and fraudulent registration of property without lawful titles.

3. Heard Sri A. S. Narayana, learned counsel for the petitioners and Ms. K. Priyanka Lakshmi, learned Assistant Public Prosecutor representing the respondent/State. Perused the record.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the crime and they are no way connected with the alleged offence. The allegations are purely civil in nature and Criminal Law is being misused to settle civil disputes. The petitioners are apprehending threat in the hands of police in the event of their arrest. The petitioners are ready to produce sufficient sureties to the satisfaction of the Court and hence, prays to enlarge the petitioners on pre-arrest bail.

5. Per contra, learned Assistant Public Prosecutor vehemently opposed granting of pre-arrest bail contending that the investigation is at a nascent stage and if the Petitioners are granted pre-arrest bail, there is a grave apprehension that they may not cooperate with the investigation and may evade the process of law. The prosecution also apprehends that the Petitioners may influence witnesses or tamper with evidence, thereby obstructing the fair and impartial investigation. Finally, it is prayed that the instant bail application be dismissed.

6. Upon consideration of the material on record, it is evident that the present petition is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking grant of pre-arrest bail without first approaching the learned Sessions Judge concerned. The learned Assistant Public Prosecutor submits that such a course is contrary to the law laid down by the Hon'ble Apex Court in ***Mohammed Rasa C v. State of Kerala and Another***, wherein it was held that ordinarily an application under Section 438 Cr.P.C. should first

be filed before the Sessions Court, and only thereafter, in the event of denial, the High Court may be approached, except in exceptional circumstances.

7. In view of the above facts and circumstances, this Court is not inclined to entertain the present petition at this stage. Accordingly, the Criminal Petition is disposed of granting liberty to the petitioners/Accused Nos.1 to 4 to approach the learned Sessions Judge concerned and file an appropriate application for grant of anticipatory bail within a period of three (3) weeks from the date of receipt of a copy of this order. It is made clear that any observations made herein shall not influence the learned Sessions Judge in considering the matter on its own merits and in accordance with law.

8. Until such time, the Investigating Officer is directed not to take any coercive steps against the petitioners/Accused Nos.1 to 4.

9. With the above direction, the Criminal Petition is disposed of.

As a sequel, Miscellaneous petitions, if any pending, shall stand closed.

Dr. JUSTICE VENKATA JYOTHIRMAI PRATAPA

Date: 24.04.2026
ARB

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL PETITION NO: 3012 of 2026

Date: 24.04.2026

ARB