

APHC010207482026



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

[3396]

MONDAY, THE TWENTY SEVENTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL PETITION NO: 3135/2026

Between:

1. SAKE PEDDANNA, AGED ABOUT 41 YEARS, S/O. SAKE PEDDA RAMUDU, R/O. D.NO.5-227, THAMBAPURAM VILLAGE, BATHALAPALLI MANDAL, SRI SATHYA SAI DISTRICT - 515661
2. SAKE NAGESH, AGED ABOUT 38 YEARS, S/O. SAKE RAMUDU, R/O. D.NO.5-160, THAMBAPURAM VILLAGE, BATHALAPALLI MANDAL, SRI SATHYA SAI DISTRICT - 515661
3. SAKE POTHULAYYA, , AGED ABOUT 43 YEARS, S/O. SAKE POTHANNA, R/O. D.NO.5-239, THAMBAPURAM VILLAGE, BATHALAPALLI MANDAL, SRI SATHYA SAI DISTRICT - 515661
4. SAKE KRISHNAMMA, AGED ABOUT 38 YEARS, W/O. SAKE PEDDANNA, R/O. D.NO.5-142, THAMBAPURAM VILLAGE, BATHALAPALLI MANDAL, SRI SATHYA SAI DISTRICT - 515661
5. SAKE NARASAMMA, AGED ABOUT 76 YEARS, W/O. SAKE RAMUDU, R/O. D.NO.5-160, THAMBAPURAM VILLAGE, BATHALAPALLI MANDAL, SRI SATHYA SAI DISTRICT - 515661

...PETITIONER/ACCUSED(S)

AND

1. THE STATE OF ANDHRA PRADESH, THROUGH SHO, BATHALAPALLI POLICE STATION, REPRESENTED BY ITS PUBLIC PROSECUTOR, HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused(S):

1.YATTAPU BHARATH KUMAR REDDY

Counsel for the Respondent/complainant:

1.PUBLIC PROSECUTOR

The Court made the following:

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA**CRIMINAL PETITION NO: 3135 OF 2026****ORDER:-**

These Criminal Petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity 'the BNSS') by the Petitioners/Accused Nos.1, 2, 4, 6 and 8 for granting of pre-arrest bail in connection with Crime No.240 of 2022 of Bathalapalli Police Station, Sri Satya Sai District, registered for the alleged offences punishable under Sections 324, 354 r/w 34 of Indian Penal Code, 1860.

2. Case of the prosecution, in brief is that this is a case of voluntarily causing hurt that occurred on 04.12.2022 at about 7.00 p.m., at the house of the complainant and reported in the police station on 05.12.2022 at 2.30 p.m., wherein the accused No.1 beat the complainant Sake Nagaraju with a rod on his head and caused bleeding injury, accused No.2 has dragged Umadevi by holding her tuft of hair and humiliated Umadevi, accused No.3 beat Ravi on his head with a sickle and caused bleeding injury, accused No.4 beat Obulesu with a sickle on his right hand and caused bleeding injury, accused No.5 beat Sanjeevulu with a rod on his chest and caused swelling injury, accused No.6 thrown a stone on Varalakshmi and caused bleeding injury to her stomach, accused Nos.7 and 8 beat Umadevi and Nallamma with the sticks and caused swelling injury on her back to Umadevi and swelling injury on the left hand of

Nallamma and it seems to be broken, accused No.1 beat Manohar with a sickle on his head and caused bleeding injury to him and some other persons belongs to Peddanna have involved in this quarrel and later the injured were shifted to Area Hospital, Dharmavaram for treatment. The motive of the offence is the site dispute in between them. Basing on the complaint of defacto complainant case has been registered.

3. Heard the learned counsel for the petitioners and the learned Assistant Public Prosecutor representing the respondent/State.

4. Learned counsel for the petitioners would submit that the petitioners are innocents of alleged offences and they are falsely implicated in this case. The defacto complainant and others have not at all received any injury and the whole story is created one by the defacto complainant at the instance of political leaders. Entire investigation has been completed and filing of charge sheet is awaited. There is no material against this petitioners. The petitioners are having movable and immovable properties and they have been ready and willing to furnish security to the satisfaction of this Hon'ble Court.

5. The learned Assistant Public Prosecutor would submit that the offence alleged against the petitioners is under Sections 324, 354 r/w 34 of IPC. The accused are having political influence, if anticipatory bail granted to the accused they may be possible to tamper the relevant evidence supposed to the investigation. Case is under investigation for arrest of the petitioners.

Charge sheet has not been filed, and therefore, the Court may pass appropriate orders.

6. On perusal of the record, there are specific overt acts attributed to the petitioners/accused Nos.1, 2, 4, 6 and 8 as the petitioners used deadly weapons i.e., sickle, iron rods etc. In view of these circumstances, the petitioners/accused Nos.1, 2, 4, 6 and 8 are not entitled to the grant of pre-arrest bail, as it would amount to providing a shield or protection to a person against whom specific overt acts attributed. Grant of pre-arrest bail is not a license for the commission of cognizable and non-bailable offences, as per the decisions of the Hon'ble Apex Court in **Gurbaksh Singh Sibbia v. State of Panjab**¹ and **Sushila Aggarwal v. State of (NCT of Delhi)**². Hence, there are no merits in the petition.

7. In the result, the Criminal Petition is dismissed.

As a sequel thereto, the miscellaneous petitions pending, if any, shall stand closed.

DR.VENKATA JYOTHIRMAI PRATAPA, J

Date: 27.04.2026
SDP

¹(1980) 2 SCC 565
²(2020) 5 SCC 1

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THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL PETITION NO: 3135 OF 2026

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