

[3396]

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

FRIDAY, THE EIGHTH DAY OF MAY,

TWO THOUSAND AND TWENTY SIX



:PRESENT:

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL PETITION NO: 3971 OF 2026

Between:

Sri Gampa Chakravarthi, S/o Venkata Satyanarayana Murthy, Aged 62yrs, R/at Dut Island, Siripuram, Visakhapatnam Urban, Aadhar No.8978 6153 8283

Petitioner/Accused No.4

AND

The State of Andhra Pradesh, Through the S.H.O., of Chinna Bazar P.S., Nellore Rep by its Public Prosecutor, High Court at Amaravathi.

Respondent/Complainant

Petition under Section 480 & 483 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 Enlarge the Petitioner/Accused Regular Bail in connection with F.I.R. No.4 on No. 64/2026 on the file of Chinna Bazar P.S., Potti Sriramulu Nellore Allowing the Criminal Petition;

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri. R SIVA SAI SWARUP, Advocate for the Petitioner and of PUBLIC PROSECUTOR for the Respondent;

The Court made the following:

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL PETITION NO: 3971/2026ORDER:

This Criminal Petition, under Sections 480 and 483 of the BNSS, has been filed by the Petitioner herein/Accused No.4, seeking regular bail, in Crime No.64 of 2026, Chinna Bazar UPS, Sri Potti Sriramulu Nellore District, registered for the offences punishable under Section 316(2), 318(4) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short "BNS").

2. The case of the prosecution, in brief, is that the complainant, Nandigam Vamsi Krishna, who was doing online currency exchange business, came into contact with Gampa Iswarya Vidya. She introduced him to Naveen and informed him that he could earn more profit by exchanging money through him. Believing their words, on 23.03.2026 the complainant transferred a total amount of Rs.39,50,000/- in two transactions to the bank account of "Haritha Infraz" to receive 42,473 USDT. After receiving the money, the accused persons neither sent the promised USDT nor returned the amount to the complainant, thereby cheating him. Hence, the complainant lodged a report with the police, and a case was registered for investigation.

3. Heard Sri R.Siva Sai Swarup, learned counsel for the petitioner, Ms.K.Priyanka Lakshmi, learned Assistant Public Prosecutor for the State and Sri M.Surender Rao, learned Senior Counsel assisted by Sri T.Ajay Kumar, learned counsel for the *de-facto* complainant.

4. Learned counsel for the petitioner would submit that the petitioner/A4 has been falsely implicated in the present crime and that no specific overt acts are attributed against him except stating that he is the father of Accused No.1. It is further submitted that the petitioner has no connection whatsoever with the alleged offence or the disputed transactions. Learned counsel would further contend that the petitioner is a senior citizen aged about 62 years and is suffering from serious cardiac ailments and severe chest pain, due to which he has been admitted in the Government Hospital and is presently undergoing treatment. The medical records placed before this Court would disclose that the petitioner has undergone angiogram and is suffering from disturbed cardiac condition requiring continuous medical supervision and treatment. Hence, considering his age, health condition and the absence of any direct role in the alleged offence, learned counsel prays to release the petitioner on bail.

5. Learned Assistant Public Prosecutor vehemently opposed the petition and submitted that the petitioner is presently in a stable medical condition and there is no necessity for granting the relief sought for on medical grounds. It is further submitted that as many as four criminal cases are pending against Accused No.1 and one criminal case is also pending against the present petitioner/Accused No.4. Learned Assistant Public Prosecutor would further contend that the petitioner has also financially benefited from the alleged transactions and that his involvement in the commission of the offence will be

revealed during the course of investigation. She finally prays for dismissal of the petition.

6. Learned Senior Counsel appearing for the de facto complainant would submit that all the accused are members of one family and jointly involved in the offence. It is submitted that the case relates to cyber fraud, wherein the de facto complainant deposited about Rs.60,00,000/- for getting US dollars/USDT. After receiving the amount, the accused withdrew the money but did not provide the promised US dollars/USDT and thereby cheated the complainant.

7. Considering the submissions made and upon perusal of the material placed on record, this Court, taking into account the age of the petitioner and his health condition, and further noting that the medical reports produced by the petitioner have been verified by the doctor from the High Court dispensary, who confirmed that the petitioner is a cardiac patient requiring continuous medical care, is inclined to grant regular bail to the petitioner/Accused No.4 subject to following conditions:

- i. The petitioner/Accused No.4 shall execute a personal bond for a sum of Rs. 20,000/- (Rupees Twenty Thousand only) each with two sureties for a like sum each, to the satisfaction of the learned II Additional Judicial Magistrate of First Class, Nellore.

- ii. The petitioner/Accused No.4 shall appear before the Investigating Officer as and when required and shall cooperate with further investigation, if any.
 - iii. The petitioner/Accused No.4 shall not directly or indirectly tamper with evidence nor influence, intimidate, or induce any prosecution witness.
 - iv. The petitioner/Accused No.4 shall not commit or indulge in commission of any offence in future.
 - v. The petitioner/Accused No.4 shall surrender his passport, if any, to the concerned Court. If he claims that he does not have a passport, he shall submit an affidavit to that effect to the concerned Court.
8. In the event of violation of any of the above conditions, the prosecution shall be at liberty to seek cancellation of bail.
9. It is also made clear that the observations made in this order are only for the purpose of deciding the bail application and they shall not be construed as opinion on the merits of the Crime.
10. Accordingly, this Criminal Petition is allowed.

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

//TRUE COPY//

SD/- U.SRIDEVI
DEPUTY REGISTRAR
SECTION OFFICER

To,

1. The II Additional Judicial Magistrate of First Class at Nellore.
2. The Superintendent, Central Prison, Nellore, SPSR Nellore District.
3. The Station House Officer, Chinna Bazar P.S., SPSR Nellore District.
4. One CC to Sri. R SIVA SAI SWARUP, Advocate [OPUC]
5. Two CCs to the PUBLIC PROSECUTOR, High Court of Andhra Pradesh, Amaravati. [OUT]
6. **One spare copy**

JSS

HIGH COURT

DR.VJP, J

DATED:08/05/2026

BAIL ORDER

CRLP.No.3971 of 2026



ALLOWED