



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

[3521]

THURSDAY, THE 10th DAY OF SEPTEMBER 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 7665/2026

Between:

1.M KISHORE KUMAR REDDY, S/O LATE M. JAGANNADHA REDDY,
HINDU,AGED ABOUT 44 YEARS. OCCUPATION BUSINESS
PETTY/GENERAL STORES,R/O D.NO.6-36, VENKATAPURAM
VILLAGE, POLAVARAM POST,PUTHALAPATTU MANDAL, CHITTOOR
DISTRICT, ANDHRA PRADESH, PIN - 517124.

...PETITIONER/ACCUSED

AND

1.THE STATE OF ANDHRA PRADESH, REP. BY ITS PUBLIC
PROSECUTOR,HIGH COURT OF ANDHRA PRADESH, AMARAVATI.
2.THE STATION HOUSE OFFICER, PUTHALAPATTU POLICE
STATIONCHITTOOR DISTRICT. CRIME NO.86 OF 2025

...RESPONDENT/COMPLAINANT(S):

Counsel for the Petitioner/accused:

1.SIVARAMA KRISHNA CHUNDURU

Counsel for the Respondent/complainant(S):

1.PUBLIC PROSECUTOR

The Court made the following:

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 for granting of pre-arrest bail in connection with Crime No.86 of 2025 of Puthalapattu Urban Police Station, Chittoor District, registered for the alleged offences punishable under Sections 34(1)(i) read with 34 of the A.P.Excise Act.

2. Mr.Sivarama Krishna Chunduru, the learned Counsel for the Petitioner, submits that the Petitioner is innocent of the alleged offences and he has been falsely implicated by the police. It is further submitted that the Petitioner is the sole earning member of his family and, therefore, his incarceration would cause undue hardship to his dependents. The Petitioner undertakes to strictly adhere to any conditions that may be imposed by this Court. Hence, it is urged to allow the Criminal Petition.

3. *Per contra*, Mr.A.Sai Rohith, the learned Assistant Public Prosecutor, vehemently opposed the grant of pre-arrest bail to the Petitioner, submitting that the investigation is still underway and several material witnesses remain to be examined. It is contended that if the Petitioner is released on pre-arrest bail, there is a strong likelihood that he may abscond, thereby hampering the ongoing investigation and evading the process of law. Hence, it is urged to dismiss the Criminal Petition.

4. Heard the learned counsel for the Petitioner and the learned Assistant Public Prosecutor. Perused the record.

5. On perusal of the record, there is one similar adverse antecedent reported against the Petitioner. Be that as it may, it is well-settled that the Petitioner is presumed innocent until proven guilty. The Hon'ble Apex Court in **Prabhakar Tewari v. State of Uttar Pradesh**¹ at para No.7, observed that mere pendency of criminal antecedents itself is not a ground to deny the request for grant of bail.

6. The allegation against the Petitioner is that 94 bottles of illegal liquor worth Rs.15,223/- were found in front of the Petitioner's petty shop, and the Petitioner is alleged to have absconded from the spot.

7. The grant of pre-arrest bail to the Petitioner is neither a license for commission of serious offence nor a shield or protection for having committed grave offences, as per the decisions of the Hon'ble Apex Court in **Gurbaksh Singh Sibbia v. State of Punjab**² and **Sushila Aggarwal v. State (NCT of Delhi)**³. The remedy of pre-arrest bail, being an extraordinary and discretionary relief, cannot be granted to the Petitioner against whom the accusation is well-founded. Therefore, request for grant of pre-arrest bail to the Petitioner/Accused at this juncture does not appear to be convincing or

¹ (2020) 11 SCC 648

² (1980) 2 SCC 565

³ (2020) 5 SCC 1

reasonable. There are no merits in the petition. Hence, the Criminal Petition is devoid of merit and is liable to be dismissed.

8. In the result, this Criminal Petition is dismissed.

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

DR. Y. LAKSHMANA RAO, J

Date: 10.09.2026
PRA

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THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

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