



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

[3396]

**TUESDAY, THE SEVENTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL PETITION NO: 9313/2025

Between:

1.DAVALA DEVENDRA, SON OF HANUMAIAH,AGED 25 YEARS,
COOLY RESIDENT OF DOOR NO. 15/51, ENDUGUMPALEM,
NUZELLAPALLIAGARAHARAM, NADENDLA MANDAL, PALNADU
DISTRICT

...PETITIONER/ACCUSED

AND

1.THE STATE OF AP, REP. BY ITSPUBLIC PROSECUTOR, HIGH
COURT OF ANDHRA PRADESH AT AMARAVATHI.

2.XXXXXXX, RESPONDENT NO.2 IS IMPLEADED AS PER THE
COURT ORDER DATED 22.09.2025 IN I.A.NO.1 OF 2025 IN
CRL.P.NO.9313 OF 2025.

...RESPONDENT/COMPLAINANT(S):

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 may be pleased to pass an order or
necessary orders directing the Respondent/Police to enlarge the Petitioner on
bail, in anticipation of his arrest in the event of his arrest in crime No. 85 of
2025 on the file of Nadendla PS, Palnadu District and the petitioner
undertakes to abide by the condition or conditions that might be imposed by
this Honble Court in the interest of justice

IA NO: 1 OF 2025

Petition under Section 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 may be pleased may be pleased to implead the De-facto Complainant as 2nd Respondent in the Criminal Petition in CRLP No.9313/2025 and pass

Counsel for the Petitioner/accused:

1.T BALASWAMI

Counsel for the Respondent/complainant(S):

1.PUBLIC PROSECUTOR

2.P SARASWATHI

3.LEGAL AID

The Court made the following:

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA**CRIMINAL PETITION No: 9313 of 2025****Order:**

The present Criminal Petition is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity, "BNSS"), seeking grant of anticipatory bail to the petitioner/accused in connection with Crime No.85 of 2025 of Nadendla Police Station, Palnadu District, registered for the offences punishable under Sections 64(1) read with 62 of the Bharatiya Nyaya Sanhita, 2023 (for brevity, "BNS").

2. Heard Sri T. Bala Swami, learned counsel for the petitioner, and Ms. K. Priyanka Lakshmi, learned Assistant Public Prosecutor.

3. Case of the prosecution, in brief, is that the de facto complainant lodged a report on 22.07.2025 at about 14:00 hours stating that on 19.07.2025 at about 8:15 p.m., at Endugumpalem Village, Nadendla Mandal, the accused allegedly trespassed into her house, grabbed her from behind, covered her mouth, and attempted to commit rape. Upon her raising alarm, the accused fled from the scene.

4. Learned counsel for the petitioner submits that an earlier case was registered on 14.01.2023, being Crime No.4 of 2023, on the complaint lodged by the wife of the petitioner's paternal uncle against the husband of the de-facto complainant and others. It is contended that the present case has been registered as a counterblast to the said earlier case. It is further submitted that there is an unexplained delay of two days in lodging the present complaint.

5. Per contra, learned counsel for the de facto complainant submits that the present crime is not a counter case and that both incidents are independent. It is contended that there are specific and serious allegations against the petitioner attracting the offences alleged, and therefore, the petitioner is not entitled to the relief of anticipatory bail.

6. Learned Assistant Public Prosecutor submits that the investigation is at a nascent stage and that there are specific accusations against the petitioner. It is further submitted that both crimes are independent in nature.

7. A perusal of the material on record discloses that there are specific allegations against the petitioner attracting the offences punishable under Sections 64(1) read with 62 of BNS. Though it is contended by the learned counsel for the petitioner that the present case is a counterblast, the same cannot be gone into at this stage. Moreover, as submitted by the learned Assistant Public Prosecutor, the investigation is still at a nascent stage.

8. Considering the gravity of the allegations and the stage of investigation, this Court is not inclined to grant anticipatory bail to the petitioner at this stage.

9. Accordingly, the Criminal Petition is dismissed.

Dr. JUSTICE VENKATA JYOTHIRMAI PRATAPA

Date: 17.02.2026
ARB

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL PETITION No: 9313 of 2025

Date: 17.02.2026

ARB