



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

[3521]

WEDNESDAY, THE 9th DAY OF SEPTEMBER 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL REVISION CASE NO: 1054/2026

Between:

1.KATAM VEERA BHRAMAIAH, S/O. LATE VEERA SWAMY,AGED 64 YEARS, R/O. D.NO.12/86, CHENNUR VILLAGE,CHENNUR MANDAL, YSR KADAPA DISTRICT.

...PETITIONER

AND

1.THE STATE OF ANDHRA PRADESH, ,Rep. by its Public Prosecutor,High Court at Amaravati-522239.

...RESPONDENT

Counsel for the Petitioner:

1.N ASWARTHA NARAYANA

Counsel for the Respondent:

1.PUBLIC PROSECUTOR

The Court made the following:

ORDER:

The Criminal Revision Case has been filed under Sections 438 and 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity, "the BNSS"), seeking to set aside the order dated 07.09.2026 passed in M.C.No.26 of 2025 by the learned Mandal Executive Magistrate and Tahsildar, Chennur.

2. Heard the learned Counsel for the Petitioner and the learned Assistant Public Prosecutor.

3. Sri N. Aswartha Narayana, the learned Counsel for the Petitioner submits that the impugned order of detention is contrary to the facts and law and was passed without following the procedure prescribed under 'the BNSS'. The Mandal Executive Magistrate ordered detention for 14 days without conducting any proper enquiry or affording an effective opportunity of hearing. Though the impugned proceedings refer to an earlier bond executed by the petitioner, the subsequent Crime Nos.170/2025 and 242/2025 cannot, by themselves, constitute proof of breach of bond, particularly when the Petitioner was released under Section 35(3) of 'the BNSS'. No show-cause notice was actually served upon the petitioner before passing the impugned order. The procedure contemplated under Section 491 of 'the BNSS.,' including recording satisfaction regarding forfeiture of bond and providing an opportunity to show sufficient cause, was not followed. No cogent material has been placed to establish that the Petitioner's conduct was likely to cause public disorder or disturbance of public peace and tranquillity. Hence, the impugned order is vitiated by violation of principles of natural justice and the procedure prescribed under law and is liable to be set aside.

4. Per contra, Sri A. Sai Rohit, learned Assistant Public Prosecutor opposed the petition and submitted that the impugned order was passed by the Mandal Executive Magistrate after considering the Petitioner's previous conduct and the material placed before him. The Petitioner had earlier

executed a bond under Section 126 of 'the BNSS.,' for maintaining peace and good behaviour, but subsequently involved himself in Crime Nos.170/2025 and 242/2025, thereby indicating breach of the bond conditions. The registration of the subsequent crimes during the subsistence of the bond furnished sufficient material for the competent authority to take action. It is submitted that the Petitioner was issued a show-cause notice and was given an opportunity to explain the alleged breach. The proceedings under Section 491 of 'he BNSS.,' were initiated on account of the Petitioner's failure to abide by the bond conditions. The contention that no enquiry was conducted is incorrect and is not borne out by the record. The apprehension regarding disturbance of public peace and tranquillity was based on the Petitioner's antecedents and subsequent conduct. Therefore, the impugned order does not suffer from any illegality or procedural irregularity and the petition is liable to be dismissed.

5. The learned Counsel for the Petitioner submits that, under Condition No.4 of the order dated 07.09.2026 passed by the learned Mandal Executive Magistrate and Tahsildar, Chennur, the Petitioner was required to deposit the forfeited bond amount of Rs.1,00,000/-. It is submitted that when the Petitioner and his son attempted to comply with the said condition, the learned Mandal Executive Magistrate and Tahsildar, Chennur did not consider the same and, *vide* order dated 28.08.2026, imposed a penalty of Rs.1,00,000/- and, on the ground that the said condition was not complied with, ordered detention of the Petitioner until the bond amount was paid.

6. Having regard to the facts and circumstances of the case, the Petitioner shall be enlarged on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties for the like sum each to the satisfaction of the concerned authority, and shall also comply with Condition No.4 imposed by the learned Mandal Executive Magistrate and Tahsildar, Chennur.

7. Accordingly, the Criminal Revision Case is disposed of. There shall be no order as to costs.

As a sequel, interlocutory applications, if any pending, shall stand closed.

Dr. Y. LAKSHMANA RAO, J

Dt: 09.09.2026

Note:-

Issue C.C by today

B/o

KMS

41

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL REVISION CASE NO: 1054/2026

Date: 09.09.2026

KMS