

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
TUESDAY, THE TWENTY SIXTH DAY OF NOVEMBER,
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE JUSTICE DR V R K KRUPA SAGAR
CRIMINAL PETITION NO: 7709, 7710 AND 7723 OF 2024



CRIMINAL PETITION NO: 7709 OF 2024

Between:

1. B. Subramanyam @ Kondasamudram Subbanna, S/o. Bayakkagari Venkatappa, Aged about 47 years, Occ Cultivation, R/o.D.No.2-120, Kondasamudram, Punganur Mandal, Chittoor District.
2. Munivenkatappa @ Bayakkagari Munivenkataramana,, Aged about 44 years, Occ Cultivation, R/o.D.No.2-121, Kondasamudram, Kummaranatham Panchayath Punganur Mandal, Chittoor District.
3. S.Ubedulla,, S/o. Azaful, Aged about 25 years, R/o. Pileru, Annamayya District.
4. Colony Chinna @ Munedra,, S/o. Munga Rathnam, Aged about 50 years, Occ Cultivation, R/o.D.No.9-388, Rajiv Nagar Colony, Piler, Annamayya District.
5. S.Abeed,, S/o. Modin Basha, Aged about 33 years, Occ Business, R/o.D.No.5-150, Paathamasidhu Street, Annamayya District.

Petitioners/Accused Nos.12, 13, 19 to 21

AND

The State Of Andhra Pradesh, Represented by its Station House Officer,
Punganur Urban Police Station.

...Respondent

Petition under Section 482 of BNSS, praying that in the circumstances stated in the grounds filed in support of the Criminal Petition, the High Court may be pleased to enlarge the Petitioners/Accused Nos. 12, 13, 19 to 21 in

the event of arrest in connection with FIR.No.324 of 2024 on the UPS,
Punganur, Chittoor District

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of Sri K RAGHU VEER Advocate for the Petitioners and of Public Prosecutor for Respondent

CRIMINAL PETITION NO: 7710 OF 2024

Between:

1. Shaik Masthan, S/o. S.Mahaboob Basha, Aged about 25 years, Occ Business, R/o.D.No.5-1575, LBS Road, Pileru, Chittoor District.
2. Tamatam Somaskehara Reddy,, S/o. Bhaskar Reddy, Aged about 55 years, Occ Cultivation, R/o.D.No.1-5A, Palamanda and Post, Chittoor District.
3. T.Venkata Raghuvulu @ Veera Raghavulu,, S/o. T.Krishnaiah, Aged about 50 years, Occ Cultivation, R/o.D.No.1-40, Palamanda and Post, Chittoor District.
4. D.Dhanasekhara Reddy,, S/o. D.M. Thimma Reddy, Aged about 53 years, Occ Cultivation, R/o. Godlavaripalli, Yarrathivaripalle Post, Sodum Mandal, Chittoor District.
5. Putta Vamsikumar Reddy,, S/o. Putta Madanamohan Reddy, Aged about 33 years, Occ Cultivation, R/o.D.No.5-22, Puttavaripalli, Sodum Mandal, Chittoor District.

Petitioners/Accused Nos.23 to 27

AND

The State Of Andhra Pradesh, Represented by its Station House Officer,
Punganur Urban Police Station

...Respondent

Petition under Section.482 of BNSS, praying that in the circumstances stated in the grounds filed in support of the Criminal Petition, the High Court may be pleased to enlarge the Petitioners/Accused Nos.23 to 27 in the event of arrest in connection with FIR.No.324 of 2024 on the file of UPS, Punganur, Chittoor District

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of Sri K RAGHU VEER Advocate for the Petitioners and of Public Prosecutor for Respondent

CRIMINAL PETITION NO: 7723 OF 2024

Between:

1. Mohan @ Laden @ Ismail, S/o. Abdul Rehman Aged about 32 years, Occ Cultivation, R/o.D.No.4-4-751, Nehru Nagar, Tirupati.
2. K.Yasvanth @ Tholu,, S/o. Madhusudhan Reddy, Aged about 25 years, Occ Cultivation, R/o.D.No.7-21/A, Vasavi Nagar, M.R. Palli, Tirupathi.
3. M.Hariprasad Reddy,, S/o. Subramanyam Reddy, Aged about 48 years, Occ Cultivation, R/o. Chintapenta, Ammagaripalli, Chittoor District.
4. Cheenapalli Reddimanoj @ Manoj,, S/o. C.Anand Aged about 28 years, Occ Cultivation, R/o.Brahmina Street, Sodum, Chittoor District.
5. T.Udayakumar,, S/o. T.Lokanadham, Aged about 46 years, Occ Cultivation Residing at Kavalipalli, Pileru.

Petitioners/Accused Nos.16 to 19 & 35

AND

The State of Andhra Pradesh,, Represented by its Station House Officer, Punganur Urban Police Station.

...Respondent

Petition under Section 482 of BNSS, praying that in the circumstances stated in the grounds filed in support of the Criminal Petition, the High Court may be pleased to enlarge the Petitioners/Accused Nos. 16 to 19 and 35 in

the event of arrest in connection with FIR.No.323 of 2024 on the file of UPS,
Punganur, Chittoor District

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of Sri K RAGHU VEER Advocate for the Petitioners and of Public Prosecutor for Respondent, the Court made the following.

COMMON ORDER:

THE HONOURABLE JUSTICE Dr. V.R.K.KRUPA SAGAR
CRIMINAL PETITION Nos.7709, 7710 and 7723 of 2024

COMMON ORDER:

Criminal Petition No.7709 of 2024, under Section 482 of Bharatiya Nagarika Suraksha Sanhita, is filed by the petitioners/accused Nos.12, 13 and 19 to 21 in Crime No.324 of 2024 of Punganur Urban Police Station, Chittoor District registered for the offences punishable under Sections 109, 191(3), 49, 61(2) and 118(2) read with 3(5) BNS.

2. Criminal Petition No.7710 of 2024, under Section 482 of Bharatiya Nagarika Suraksha Sanhita, is filed by the petitioners/accused Nos.23 to 27 in Crime No.324 of 2024 of Punganur Urban Police Station, Chittoor District registered for the offences punishable under Sections 109, 191(3), 49, 61(2) and 118(2) read with 3(5) BNS.

3. Criminal Petition No.7723 of 2024, under Section 482 of Bharatiya Nagarika Suraksha Sanhita, is filed by the petitioners/accused Nos.16 to 19 and 35 in Crime No.323 of 2024 of Punganur Urban Police Station, Chittoor District registered for,

the offences punishable under Sections 109, 191(3), 49 and 61(2) read with 3(5) BNS.

4. Heard Sri K.Raghu Veer, the learned counsel for the petitioners and the learned Assistant Public Prosecutor for respondent-State.

5. Perused the record.

6. This Court by common order dated 29.10.2024 in Criminal Petition Nos.6079, 6081, 6130, 6164 and 6165 of 2024 while dealing with Crime No.323 of 2024 and Crime No.324 of 2024 made elaborate observations and granted bail. Paragraph Nos.16 and 17 of the said order read as under:

"16. Investigation is to find truth of the matter. Presentation of the case before a Court by the State must be one that places all the facts before the Court including the genesis of the event. With reference to the sequence of events as brought to the notice of the police and the three First Information Reports registered at the same police station the earliest being Crime No.322 of 2024, it is normally expected that at least when an accused is arrested in any of the crimes, there is a reference as to the origin of the crime or the genesis of the incident when the accused is produced before the Court for judicial remand. Copy of the remand report in Crime No.324 of 2024 pertaining to A.31

and A.32 is presented for consideration of this Court by the petitioners. A perusal of it shows that there is absolutely no reference to the incident reported in Crime No.322 of 2024 lodged by Sri N.Reddeppa. Thus, the State did not choose to place before the Court the full view of the case. All the three crimes were registered at the same police station and all of them referred to the same scene of offence and referred a large number of people pertaining to both the groups belonging to rival political parties. A neutral agency such as State is expected to be more skillful in proposing its protest against the prayers for bail made by the citizens but the same seems to be missing.

17. It is undisputed that the petitioners in all these petitions have not been shown physically participating and causing injuries to anyone. It is an undisputed fact that the victims in both the crimes, namely, Crime Nos.323 and 324 of 2024 are the people who reached the scene of offence which belongs to leaders owing allegiance to opposite political party. It is not the case of the State that the cars that were burnt in the precincts of the former Member of Parliament were also burnt by the accused in Crime Nos.323 and 324 of 2024. Absence of necessary facts and reasons stated by the prosecution in this kind of case makes an eminent case for accused to claim bail in anticipation. It is not the case of the State that there is any flight risk or possibility of these petitioners spoiling the stream of justice. Since the allegations are only to the effect of their abetments and considering caution laid down to the Courts by their Lordships in the above referred ruling, this Court finds that

any custodial interrogation does not seem necessary. Hence, prayers are granted."

7. On considering the case of these petitioners in the light of the above observations, these Criminal Petitions are allowed. In the event of arrest of the petitioners herein/accused Nos.12, 13 and 19 to 21 in CrI.P.No.7709 of 2024 and petitioners herein/accused Nos.23 to 27 in CrI.P.No.7710 of 2024 and petitioners herein/accused Nos.16 to 19 and 35 in CrI.P.No.7723 of 2024, they shall be enlarged on bail on their executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties for a like sum each to the satisfaction of the concerned Investigating Officer and the petitioners are directed to join the investigation as and when required. The petitioners shall mark their attendance before the Investigating Officer on 1st and 15th of every month between 10.00 AM and 1.00 PM till filing of the charge sheet. The petitioners shall make themselves available for investigation by a police officer as and when required. They shall not, directly or indirectly, make any inducement, threat or promise to any persons acquainted with the facts of the case to dissuade them from disclosing such facts to the Court or to any police officer. They shall not indulge in similar

acts of crime. The petitioners shall regularly appear before the competent Court and participate in pre-trial and trial process without fail.

Sd/- K. J. RAJA BABU
ASSISTANT REGISTRAR

//TRUE COPY//

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For A

SECTION OFFICER

To,

1. The II Additional District & Sessions Judge, Madanapalle
2. The Station House Officer, Punganur Urban Police Station, Chittoor District
3. One CC to SRI. K RAGHU VEER Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court of Andhra Pradesh [OUT]
5. One spare copy

HIGH COURT

DR VRKS,J

DATED:26/11/2024

ANTICIPATORY BAIL ORDER

CRLP.No.7709, 7710 & 7723 of 2024

ALLOWED

