

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

WEDNESDAY, THE EIGHTH DAY OF OCTOBER,

TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 10029 OF 2025



Between:

Karri Mahesh Babu Mahesh, S/o Late Ramabrahmam, Aged about 45 years, R/o D. No. 20/7-103, Viswabrahmin Colony, Machilipatnam.

...Petitioner/Accused

AND

The State of Andhra Pradesh, Rep. by SHO, Machilipatnam P.S., Krishna District Rep. by its Public Prosecutor, High Court of Andhra Pradesh, Amaravati.

...Respondent

Petition under Section 480 & 483 of BNSS is filed praying that in the circumstances stated in the memorandum of grounds of Criminal Petition, the High Court may be pleased to enlarge the Petitioner on bail in connection with Crime No. 80 of 2025 on the file of the Machilipatnam Police Station dated 25.08.2025;

The petition coming on for hearing, upon perusing the Petition and memorandum of grounds of criminal petition and upon hearing the arguments of Sri K.V.Aditya Chowdary, Advocate for the Petitioner of Public Prosecutor for the Respondent, the Court made the following;

ORDER:

Criminal Petition has been filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity 'the BNSS'), seeking to enlarge the Petitioner/Accused on bail in Crime No.80 of 2025 of Machilipatnam Police Station, Krishna District, was registered against the Petitioner/Accused herein for the offences punishable under Sections 121(1), 351(2) of the Bharatiya Nyay Sanhita, 2023 (for brevity 'the BNS').

CASE OF THE PROSECUTION:

2. The case of the prosecution is that on 25.08.2025 at 07:00 hours, the complainant, who was working as a Home Guard at Machilipatnam Police Station, reported that on 24.08.2025, he and another police constable were deployed on night duty from 21:00 hours to 05:00 hours. While they were patrolling their beat points, at about 00:30 hours, they reached Viswabrahmin Colony, where the accused, Karri Mahesh, approached and abused the complainant in filthy language, punched him on his mouth, and threatened to kill him and obstruct him from discharging his official duties. The accompanying police constable rescued the complainant and shifted him to the Government General Hospital, Bandar.

CONTENTIONS OF THE COUNSEL FOR THE PETITIONER:

3. Sri K.V. Aditya Chowdary, learned Counsel for the Petitioner submits that the Petitioner is innocent of the alleged offence and he has been falsely implicated in the alleged offence, without any cogent evidence linking him to the commission of the crime. It is contended that the Petitioner is the sole breadwinner of his family and his arrest would cause undue hardship and prejudice to his dependents. The Petitioner undertakes to abide by any condition that this Court may impose while granting bail to the Petitioner.

4. It is further submitted that the Petitioner has a permanent place of residence and there is no likelihood of his absconding or evading the process of law. The Petitioner has cooperated with the investigation thus far and

assures continued cooperation in future proceedings. It is also urged that the allegations are of a nature that do not warrant further custodial detention, and if any condition is imposed while granting the bail, Petitioner would not violate it; and it is urged to allow the Petition.

ARGUMENTS OF THE STATE:

5. *Per contra*, Ms.P.Akhila Naidu, learned Assistant Public Prosecutor strenuously opposed to grant of bail and prosecution further apprehend that the Petitioner, if released, may influence or intimidate witnesses, thereby obstructing the course of justice. It is also urged that there exists a real and imminent risk of the Petitioner absconding and evading the due process of law. Given the gravity of the allegations and the potential threat to the progress of the investigation, it is submitted that the Petitioner does not deserve the discretionary relief of bail and it is urged to dismiss the bail petition.

6. Thoughtful consideration is bestowed on the arguments advanced by the learned Counsel for both sides. I have perused the entire record.

POINT FOR CONSIDERATION:

7. In the light of the case of the prosecution and the contentions of the learned Counsel for both the sides, now the point for consideration is:

"Whether the Petitioner is entitled for grant of bail?"

ANALYSIS:

8. As seen from the record, this is the second bail application. Earlier, this Court, in CrI.P.No.9403 of 2025 dated 19.09.2025, dismissed the bail application on the ground that the petitioner had three adverse antecedents. The learned counsel for the petitioner has now filed certain documents showing that Crime No.80 of 2018 was ended in compromise before the Lok Adalat, Crime No.104 of 2021 resulted in acquittal, and Crime No.87 of 2024 was closed as a false case. The learned Assistant Public Prosecutor submits that the wound certificate has been received, which mentions that the de facto complainant suffered a simple injury. The petitioner was arrested on 25.08.2025 and has been in judicial custody for the past 45 days. The material part of the investigation has been completed.

9. Considering the facts and circumstances of the case, the nature and gravity of allegation levelled against the Petitioner, and his alleged role played in the case, this Court is inclined to enlarge the Petitioner/accused on bail with the following stringent conditions:

- i. The Petitioner/Accused shall be enlarged on bail subject to he executing a personal bond for a sum of Rs.20,000/- (Rupees Twenty Thousand Only), with two sureties each for the like sum each to the satisfaction of the learned Judicial First Class Magistrate Cum Principal Junior Civil Judge Court, Machilipatnam, Krishna District.
- ii. The petitioner/Accused shall appear before the Station House Officer concerned, on every Saturday in

between 10:00 am and 05:00 pm, till cognizance is taken by the learned the Trial Court.

iii. The petitioner/Accused shall not leave the limits of the District without prior permission from the Station House Officer concerned.

iv. The petitioner/Accused shall not commit or indulge in commission of any offence in future.

v. The petitioner/Accused shall cooperate with the investigating officer in further investigation of the case and shall make himself available for interrogation by the investigating officer as and when required.

v. The Petitioner/Accused shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the court or to any police officer.

10. Accordingly, the Criminal Petition is allowed.

//TRUE COPY//

For

SD/- T. SRINIVASA RAO
ASSISTANT REGISTRAR


SECTION OFFICER

To,

1. The Judicial First Class Magistrate Cum Principal Junior Civil Judge court, Machilipatnam, Krishna District.
2. The II Additional Judicial Magistrate of First Class, Machilipatnam.
3. The Superintendent, Sub-Jail, Machilipatnam.
4. The Station House Officer, Machilipatnam Police Station, Krishna District.
5. One CC to Sri. K.V.Aditya Chowdary, Advocate [OPUC]
6. Two CCs to Public Prosecutor, High Court of AP [OUT]
7. One spare copy

HIGH COURT

Dr.YLR,J

DATED:08/10/2025

ORDER

CRLP.No.10029 of 2025

ALLOWED

