



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

[3521]

WEDNESDAY, THE EIGHTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 10118/2025

Between:

Anu Priya

...PETITIONER/ACCUSED

AND

The State Of Andhra Pradesh

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused:

1. NAGA RAJU KOLLATI

Counsel for the Respondent/complainant:

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 No.5, for granting of pre-arrest bail in connection with Crime No.41 of 2025 of Excise Station, Kandukur, SPSR Nellore District, registered for the alleged offences punishable under Sections 34(A) R/W 34

(1)(ii), 34(e) R/W34(2) 13(1)(f) 42(c) 34(f)r/w 34(2)13(E) 34(h)R/W 34(2)&42, 50B(a) of A.P.Excise Act, 1968.

CASE OF THE PROSECUTION:

2. Material averments stemming from the prosecution are that on 06.07.2025 the S.H.O Prohibition of Excise, Kandukuru, on credible information, the Inspector along with staff reached D.No.D-6, Mittapalem of Gudlur Village & Mandal and found one person. The person admitted that he along with others had counterfeit (adulterated) liquor inside the house. On search, they produced the adulterated liquor, which they used to transport and sold. The Inspector of Prohibition and Excise in the presence of witnesses examined the house and found the liquor and seized the liquor.

CONTENTIONS OF THE COUNSEL FOR THE PETITIONER:

3. Mr. Naga Raju Kollati, learned counsel for the Petitioner respectfully submits that the Petitioner has been falsely implicated in the present case and has not committed any offence as alleged. The Petitioner is the sole earning member of her family, and her arrest would cause irreparable hardship to her dependents. The Petitioner is willing to abide by any condition that this Court may deem fit and proper for the grant of anticipatory bail. The Petitioner has got fixed abode.

4. It is further submitted that there is no recovery attributable to the Petitioner and custodial interrogation period was over and such custody is not warranted in the facts and circumstances of the case. The Petitioner has cooperated with the investigation and there is no likelihood of absconding or tampering with the prosecution evidence. Therefore, it is prayed that this Court may be pleased to grant pre-arrest bail to the Petitioner/Accused No.9 in the interest of justice.

ARGUMENTS OF THE ASSISTANT PUBLIC PROSECUTOR:

5. *Per contra*, Neelotpal Ganji, learned Assistant Public Prosecutor vehemently opposed granting of pre-arrest bail contending that the investigation is at a nascent stage and the custodial interrogation of the Petitioner is imperative for eliciting material facts. It is submitted that if the Petitioner is granted pre-arrest bail, there is a grave apprehension that she may not cooperate with the investigation and may evade the process of law.

6. It is further urged that the prosecution also apprehends that the Petitioner may influence witnesses or tamper with evidence, thereby obstructing the fair and impartial investigation. In view of the seriousness of the allegations and the potential risk to the integrity of the investigation, it is prayed that the instant bail application be dismissed.

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

POINT FOR CONSIDERATION:

8. 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 pre-arrest bail?”

ANALYSIS:

9. As seen from the record, it is the allegation of the prosecution that the petitioner/accused No.9 along with her husband held 34.50 shares in Navya Infra Company which prepares ethanol hand sanitizers. The petitioner's company had allegedly supplied ethanol which was used for preparation of spurious liquor. The learned Assistant Public Prosecutor submits that there are similar adverse antecedents. The learned counsel for the petitioner submits that the petitioner is a practicing Advocate in the Telangana High Court. She is shown as one of the partners in Navya Infra Company and Energy Solutions only for namesake. She is only a sleeping partner, the real partner is her husband. There are matrimonial disputes between the petitioner and her husband and she lodged a complaint against her husband in Crime No.891 of 2022 of Uppal Police Station for the offences punishable under Section 498-A of IPC and also women burning, as her husband not only harassed her but also caused injuries. The police filed a charge sheet against her husband. Later, because of the compulsion of the family members, the matter was compromised. The petitioner filed medico-legal case records wherein it was

mentioned that she suffered some injuries. The petitioner is having a boy aged about 16 years. She was divorced by her first husband due to some problems.

10. As seen from the record produced by the petitioner, there are matrimonial disputes between the petitioner and accused No.8. The petitioner tried to commit suicide by pouring sanitizer and setting herself ablaze with a lighter due to the unbearable torture meted out by her husband. The petitioner is a permanent resident of Uppal, Medchal-Malkajgiri District, Telangana State. She is a practicing Advocate in High Court of Telangana. The petitioner is only a sleeping partner in Navya Infra Company and Energy Solutions.

11. Considering the facts and circumstances, the gravity and nature of the allegations levelled the Petitioner, this Court is inclined to grant pre-arrest bail to the Petitioner.

CONCLUSION:

12. In the result, the criminal petition is allowed with the following stringent conditions:

- i. In the event of her arrest, the Petitioner shall be enlarged on bail subject to her executing a personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only), with two sureties for the like sum each to the satisfaction of the arresting police officials;
- ii. The Petitioner shall make herself available for investigation as and when required;

- iii. The Petitioner shall not cause any threat, inducement or promise to the prosecution witnesses;
- iv. The Petitioner shall appear before the Station House Officer concerned once in a month i.e., on any Saturday between 10.00 a.m. and 5.00 p.m., till filing of the charge sheet.
- v. The Petitioner shall not leave the district limits without the express permission from the Station House Officer concerned.
- vi. The Petitioner shall surrender her passport, if any, to the investigating officer. If he claims that she does not have passport, she shall submit an affidavit to that effect to the Investigating Officer.

DR. Y. LAKSHMANA RAO, J

Date: 08.10.2025
SDP

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION No.10118 of 2025

Date:08.10.2025

SDP