

APHC010616862025



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

[3521]

FRIDAY, THE TWELFTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 11872/2025

Between:

Ajjuguttu Ashok Kumar Reddy and Others **...PETITIONER/ACCUSED(S)**

AND

The State Of Andhra Pradesh and **...RESPONDENT/COMPLAINANT(S)**
Others

Counsel for the Petitioner/accused(S):

1.N CHANDRA SEKHAR REDDY

Counsel for the Respondent/complainant(S):

1.P MADHUKAR REDDY

2.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 Nos.1 to 4/Accused Nos.1 to 4 for granting of pre-arrest bail in connection with Crime No.44 of 2025 of Singanamala Police Station, Ananthapuramau, registered for the alleged offence punishable under Section 118 (1) read with 3(5) of Bharatiya Nyaya Sanhita, 2023 (for brevity 'the BNS').

2. Sri N. Chandra Sekhar Reddy, learned counsel for the petitioners, submits that the petitioners are innocent and have not committed any offence and that they have been falsely implicated in this case. They are law-abiding citizens and have a fixed place of abode. They are ready to abide by any conditions imposed by this Court. It is further submitted that there are no specific overt acts attributed to some of the petitioners and that there has been a long-standing civil dispute between the de-facto complainant and the accused persons and it is urged to enlarge the petitioners on pre-arrest bail.

3. *Per contra*, Mr. Neelotpal Ganji, The learned Assistant Public Prosecutor vehemently opposed the grant of pre-arrest bail to the petitioners on the ground that the accusations are well-founded and specific overt acts are attributed to them. It is submitted that the victim suffered a grievous injury to her hip. Hence, it is urged to dismiss the petition.

4. Sri P. Madhukar Reddy, learned counsel appearing for the 2nd respondent/victim, reiterated the submissions of the learned Assistant Public Prosecutor and submits that the victim suffered a fracture injury to her hip and is unable to move. It is further contended that if the petitioners are enlarged on pre-arrest bail, they may again commit a similar offence and are likely to interfere with the process of investigation. He therefore urges that the petition be dismissed, as specific overt acts have been attributed to the petitioners by the de-facto complainant.

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

6. 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 Petitioners are entitled for grant of pre-arrest bail?”

7. As seen from the case of the prosecution, the de-facto complainant suffered a fracture injury to her hip. In her statement recorded on 19.04.2025 at 10:00 P.M., she alleges that on 18.04.2025 at 7:30 P.M., when her husband was not at home, the petitioners, under the pretext of an issue relating to a dog, came to her house. Petitioner No.1/Accused No.1 and his wife, Petitioner No.2/Accused No.2, beat her with an iron rod and a stick, causing injuries. The other petitioners allegedly pushed the de-facto complainant to the ground and beat her with their hands and legs. Though the alleged incident occurred on 18.04.2025 at 7:30 P.M. and her statement was recorded on 19.04.2025 at 10:00 P.M., the FIR was registered only on 20.04.2025 at 10:00 A.M. Thus, there is a delay of two days in lodging the FIR.

8. Be that as it may, in view of the specific overt acts attributed to Petitioner Nos.1 and 2/Accused Nos.1 and 2, the request for grant of pre-arrest bail to them does not appear to be convincing or reasonable.. Furthermore, importantly grant of pre-arrest bail to the petitioners, against whom specific overt acts grave in nature are alleged, is neither a license for commission of serious offence nor a shield or protection for having committed offences, as per the decisions of the Hon’ble Apex Court in ***Gurbaksh Singh Sibbia v. State of Punjab***¹ and ***Sushila Aggarwal v. State (NCT of Delhi)***². In view of the specific overt acts attributed to the petitioners, this Court finds

¹ (1980) 2 SCC 565

² (2020) 5 SCC 1

no merits in the case. Ergo, Petitioner Nos.1 and 2/Accused Nos.1 and 2 are disentitled to the grant of pre-arrest bail.

9. Indeed, there are long-standing civil disputes between the de-facto complainant and the petitioners. The allegations levelled against Petitioner Nos.3 and 4/Accused Nos.3 and 4 are that they pushed the de-facto complainant to the ground and beat her with their hands and legs.

10. Considering that these allegations which are relatively less milder in nature when compared to those against Petitioner Nos.1 and 2/Accused Nos.1 and 2, this Court is inclined to grant pre-arrest bail to Petitioner Nos.3 and 4/Accused Nos.3 and 4.

11. In the result, the Criminal Petition is partly allowed with the following conditions:

- i. In the event of their arrest, the Petitioner Nos.3 and 4/Accused Nos.3 and 4 shall be enlarged on bail subject to them 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 arresting police officials;
- ii. The Petitioner Nos.3 and 4/Accused Nos.3 and 4 shall make themselves available for investigation as and when required;
- iii. The Petitioner Nos.3 and 4/Accused Nos.3 and 4 shall not cause any threat, inducement or promise to the prosecution witnesses;
- iv. The Petitioner Nos.3 and 4/Accused Nos.3 and 4 shall appear before the Station House Officer concerned once in a week i.e., on every Saturday between 10.00 a.m. and 5.00 p.m., till filing of the charge sheet.
- v. The Petitioner Nos.3 and 4/Accused Nos.3 and 4 shall not leave the district limits without the express permission from the Station House Officer concerned.
- vi. The Petitioner Nos.3 and 4/Accused Nos.3 and 4 shall surrender their passports, if any, to the investigating officer. If they claim that they do not have passports, they shall submit an affidavit to that effect to the Investigating Officer.

DR. Y. LAKSHMANA RAO, J

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION No.11872 of 2025

Date:12.12.2025

KMS