
(2025) 12 AP CK 0005

Andhra Pradesh HC

Case No: Criminal Petition No: 11748 Of 2025

K Vijaya Kanakadurga & Ors

APPELLANT

Vs

State Of Andhra Pradesh & Ors

RESPONDENT

Date of Decision: Dec. 10, 2025

Acts Referred:

- Bharatiya Nagarik Suraksha Sanhita, 2023 - Section 482
- Bharatiya Nyaya Sanhita, 2023 - Section 3(5), 74, 115(2), 126(2), 318(4), 333
- Scheduled Castes And The Scheduled Tribes (Prevention Of Atrocities) Act, 1989 - Section 3(1)(r), 3(1)(s), 3(2)(va)

Hon'ble Judges: Dr Y. Lakshmana Rao, J

Bench: Single Bench

Advocate: N N Somendra Reddy, V Sessa Kumari

Final Decision: Partly Allowed

Judgement

Dr Y. Lakshmana Rao, J

1. The Criminal Petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity the BNSS) by the Petitioners/Accused Nos.2, 4 & 5 for granting of pre-arrest bail in connection with Crime No.149 of 2025 of P.Gannavaram Police Station, Dr.B.R.Ambedkar Konaseema District, registered for the alleged offences punishable under Sections 126(2), 115(2), 74, 333, 318(4) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for brevity the BNS) and Sections 3(1)(r), 3(1)(s), 3(2)(va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for brevity the SCs & STs (POA) Act).

2. As seen from the record, against Petitioner Nos.1 and 3/Accused Nos.2 and 5, the petition filed before the learned X Additional District Judge at Rajamahendravaram in CrI.M.P.No.1198 of 2025 vide order dated 13.11.2025 was dismissed as the investigation is pending. It is mentioned in that order that Petitioner Nos.1 and 3 were arrested on 21.10.2025. They have been in judicial custody for the past 50

days. The Criminal Petition seeking grant of pre-arrest bail is infructuous. Hence, the petition against Petitioner Nos.1 and 3 is dismissed as infructuous.

3. Heard the learned Counsel for the Petitioner, the learned counsel for the Respondent No.2 and the learned Assistant Public Prosecutor.

4. As seen from the record, Petitioner No.2/Accused No.4 is a minor aged about 16 years. He is a student. The allegation against him is that while the other accused were allegedly trying to do away the life of the de-facto complainant, he was video-graphing it. There is a land dispute between Accused No.1 and L.W.1. So far, 7 witnesses are examined.

5. Considering the gravity and nature of the allegations levelled against the petitioner/Accused No.4, who is a minor/juvenile in conflict with law and a student who has no adverse criminal antecedents of same in nature, this Court is inclined to grant pre-arrest bail to the petitioner/Accused No.4.

6. In the result, the Criminal Petition is allowed so far as Petitioner No.2/Accused No.4 is concerned with the following conditions:

i. In the event of his arrest, the Petitioner No.2/Accused No.4 shall be enlarged on bail subject to him executing a bond for a sum of Rs.5,000/- (Rupees Five Thousand only), with two sureties for the like sum each to the satisfaction of the arresting police officials.

ii. The Petitioner No.2/Accused No.4 shall cooperate with the Investigation Officer and shall make himself available for investigation as and when required.

iii. The Petitioner No.2/Accused No.4 shall not commit or indulge in similar offences in future.

7. Accordingly, the Criminal Petition is partly allowed.