



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

[3521]

MONDAY, THE EIGHTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NOS: 3054, 3056, 3057, 3060 and 3061 of 2023

CRIMINAL PETITION NO: 3054/2023

Between:

MaddulaKoteswaramma and Others

...PETITIONER/ACCUSED(S)

AND

The State Of Andhra Pradesh

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused(S):

1. N RAVI PRASAD

Counsel for the Respondent/complainant:

1. PUBLIC PROSECUTOR (AP)

CRIMINAL PETITION NO: 3056/2023

Between:

MaddulaPamuKondaiah

...PETITIONER/ACCUSED

AND

The State Of Andhra Pradesh

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused:

1.N RAVI PRASAD

Counsel for the Respondent/complainant:

1.PUBLIC PROSECUTOR (AP)

CRIMINAL PETITION NO: 3057/2023

Between:

MaddulaNagaraju

...PETITIONER/ACCUSED

AND

The State Of Andhra Pradesh

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused:

1.N RAVI PRASAD

Counsel for the Respondent/complainant:

1.PUBLIC PROSECUTOR (AP)

CRIMINAL PETITION NO: 3060/2023

Between:

Talari Venkateshwar Rao

...PETITIONER/ACCUSED

AND

The State Of Andhra Pradesh

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused:

1.N RAVI PRASAD

Counsel for the Respondent/complainant:

1.PUBLIC PROSECUTOR (AP)

CRIMINAL PETITION NO: 3061/2023**Between:**

Dasari Suvarna Kumari

...PETITIONER/ACCUSED**AND**

The State Of Andhra Pradesh

...RESPONDENT/COMPLAINANT**Counsel for the Petitioner/accused:**

1.N RAVI PRASAD

Counsel for the Respondent/complainant:

1.PUBLIC PROSECUTOR (AP)

The Court made the following:**COMMON ORDER:**

The Criminal Petition Nos.3054, 3056, 3057, 3060 and 3061 of 2023 have been filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity 'the BNSS') by the petitioners/accused Nos.3 to 5, petitioner/accused No.2, petitioner/accused No.1, petitioner/accused No.7 and petitioner/accused No.6 respectively, for granting pre-arrest bail in connection with Crime No.103 of 2023 of Pedana Police Station, Krishna District, registered for the alleged offences punishable under Sections 498-A, 506, 509 r/w 34, 354(a), 354(c), 376 r/w 511 of Indian Penal Code (for short 'the IPC').

2. These five Criminal Petition Nos.3054, 3056, 3057, 3060 and 3061 of 2023 are heard and disposed of by way of this common order, as the petitioners in those petitions are accused in one crime.

CASE OF THE PROSECUTION:

3. The case for the prosecution, in a nutshell, is that the complainant submitted a report stating that her marriage took place in the year 2014 with accused No.1 and that she has given birth to two children. Prior to 11.04.2023, at the house of accused No.1, H.No.16-446/11, Machavaram Mettu, Machavaram, Chilakalapudi, Machilipatnam, Krishna District, accused No.1 harassed the defacto complainant both mentally and physically. Accused No.2 also harassed her and attempted to satisfy his sexual desire. Accused Nos.3 to 6 supported accused Nos.1 and 2, while accused No.7 took nude photos of the de facto complainant via phone and also demanded sexual favors. All the accused threatened her with dire consequences and insulted her modesty.

CONTENTIONS OF THE COUNSEL FOR THE PETITIONER:

4. Sri N. Ravi Prasad, learned counsel for the Petitioners/accused Nos.1 to 7, respectfully submits that the Petitioners have been falsely implicated in the present case and have not committed any offence as alleged. The Petitioners are the sole earning members of their families, and their arrest would cause irreparable hardship to their dependents. The crime occurred in 2023, and the investigation has been completed with the charge sheet has already been filed. The Petitioners are willing to abide by any conditions that this Court may deem fit and proper for the grant of anticipatory bail. The

Petitioners have got fixed abode and have cooperated with the trial before the learned trial Court. There is no likelihood of their absconding or tampering with prosecution evidence. Therefore, it is prayed that this Court may be pleased to grant pre-arrest bail to the Petitioners/Accused Nos.1 to 7 in the interest of justice.

ARGUMENTS OF THE ASSISTANT PUBLIC PROSECUTOR:

5. Per contra, Ms. P. Akila Naidu, learned Assistant Public Prosecutor, vehemently opposed the granting of pre-arrest bail, contending that the Petitioners are not available for investigation. The investigation in this case has been completed, and the charge sheet has been filed, but the C.C. number is still awaited. It is submitted that if the Petitioners are granted pre-arrest bail, they may influence witnesses or tamper with evidence, thereby obstructing a fair and impartial trial. 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 applications be dismissed.

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

ANALYSIS:

8. The defacto complainant in her report dated 11.04.2023 lodged to the police alleged that Petitioners/accused Nos.1 to 7 caused cruelty and harassment to the de facto complainant, threatened her with dire consequences, and two of the Petitioners outraged her modesty. The defacto complainant and accused No.1 are husband and wife. The learned Assistant Public Prosecutor submits that the investigation has been completed and the charge sheet has been filed, but the C.C. number is awaited. The de facto complainant submitted a computer typed report running into four pages, leveling allegations against the Petitioners. Petitioner No.1/accused No.3 is approximately 82 years old, she is grandmother of defacto complainant. Petitioner No.3/accused No.5 is of approximately 58 years old, she is sister-in-law of defacto complainant. The de facto complainant has arrayed not only her husband as an accused but also the grandmother of her husband and other relatives. Accused No.7 is a friend of accused No.1.

9. The accused No.1-Maddula Nagaraju, who is a physiotherapist by profession, married the defacto complainant on 07.06.2014. They belong to different communities: the accused No.1 belongs to the Mala community, while the defacto complainant belongs to the Gowda community. They were blessed with two children, a daughter and a son. On 17.04.2023, the accused No.1 submitted an application to the authorities through Spandana, alleging

that his wife/defacto complainant had developed illegal intimacy with Bade Srinivas Gandhi and Putti Srinivasa Rao, who are the neighbours of accused No.1. The Call Detail Records (C.D.Rs.) between the defacto complainant and these two individuals were submitted with the petition. Additionally, on 12.02.2023, the accused No.1-Maddula Nagaraju, filed a report with the Station House Officer of Chilakalapudi Police Station, leveling similar allegations against the defacto complainant. Thus, there are allegations and counter-allegations between the accused and the defacto complainant. The accused No.1 has expressed fear that the defacto complainant, through her alleged illegal intimacy with the above mentioned two persons, may cause his death at any moment. The petitioners are permanent residents of Krishna District. Since the entire investigation has been completed and the charge sheet filed, but the case was not yet numbered, the question of petitioners threatening the witnesses or hampering the investigation or tampering the evidence may not arise.

10. In view of the nature of the allegations leveled against the Petitioners, the completion of investigation, and the filing of the charge sheet, this Court is inclined to grant pre-arrest bail to the Petitioners with the following stringent conditions:

- a) In the event of arrest of the petitioners/accused Nos.1 to 7 shall be enlarged on bail on executing a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties

for the like sum each to the satisfaction of the arresting police officials;

b) The Petitioners/accused Nos.1 to 7 shall appear before the learned trial Court on every adjournment and shall cooperate with the trial.

11. Accordingly, the Criminal Petition Nos.3054, 3056, 3057, 3060 and 3061 of 2023 are allowed.

DR. Y. LAKSHMANA RAO, J

Date: 08.09.2025
SDP

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NOs: 3054, 3056, 3057, 3060 and 3061 of 2023

Date:08.09.2025

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