

APHC010368372023



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

[3396]

WEDNESDAY, THE TWENTY NINTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL PETITION NO: 5713/2023

Between:

1. MOPIDEVI VISWA SHANTI, W/O ANANTHA RAM SRINIVAS, AGED. 40 YEARS, R/O FLAT NO.D4, 4TH FLOOR, CHANDRAHASA APARTMENT, AJITH SINGH NAGAR, VIJAY AWADA.

...PETITIONER/ACCUSED

AND

1. MOPIDEVI ANANTHA RAMA SRINIVAS, S/O MOHAN MURALI KRISHNA, AGED ABOUT 45 YEARS, R/O DOOR NO.23-22-97, SIVALAYAM STREET, OPPOSITE HP PETROL BUNK, SATYANARAY ANAPURAM, VIJAYAWADA.

2. THE STATE OF A P, , REP. BY ITS PUBLIC PROSECUTOR, HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

...RESPONDENT/COMPLAINANT(S):

Counsel for the Petitioner/accused:

1. K JYOTHI PRASAD

Counsel for the Respondent/complainant(S):

1. KILARU NITHIN KRISHNA

2. PUBLIC PROSECUTOR (AP)

The Court made the following:

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA**CRIMINAL PETITION NO: 5713 OF 2023****ORDER:-**

The Criminal Petition has been filed under Section 439(2) of the Cr.P.C., seeking to cancel the bail granted to the 1st respondent/accused No.1 in CrI.P.No.4296 of 2022 vide orders dated 29.06.2022 in connection with FIR No.86 of 2022 of Ajith Singh Nagar Police Station, Vijayawada.

2. The learned counsel for the petitioner/de facto complainant submits that respondent No.1/accused No.1 has not complied with the condition of appearing before the concerned police station, as directed by this Hon'ble Court. It is further submitted that, after his release, respondent No.1 filed F.C.O.P. No. 1744 of 2022 on the file of the IV Additional District Judge-cum-Family Court, Vijayawada, seeking dissolution of marriage, and also filed a petition for guardianship of the children on false allegations. It is further submitted that, on 11.05.2023, respondent No. 1/accused No.1, along with five others, broke open the locks of the flat and entered the house. The petitioner was shocked and, upon questioning his acts, respondent No. 1 allegedly abused her in filthy language and issued threats. The petitioner immediately reported the incident to the concerned police; however, the police required her to produce an interim injunction order. Upon production of the said order, the police registered her complaint as FIR No. 451 of 2023 on

03.06.2023 for the offences under Sections 448 and 506 IPC, and the same is pending. It is contended that the above acts of respondent No. 1 clearly demonstrate misuse of the bail granted by this Hon'ble Court, particularly the condition restraining him from influencing witnesses. Hence, it is prayed that the bail granted to respondent No. 1 be cancelled.

3. The learned counsel for respondent No. 1/accused No. 1 submits that he has complied with all the conditions imposed by this Hon'ble Court and that the allegations made against him are false. It is further submitted that the present petition has been filed only to harass respondent No. 1, and therefore, the same is liable to be dismissed.

4. The learned Assistant Public Prosecutor submits that respondent No.1/accused No. 1 has complied with the conditions imposed by this Court while granting bail, and prays that appropriate orders may be passed.

5. Considering the facts and circumstances of the case and the submissions made by both sides, it appears that cases have been lodged by both parties against each other. There exist matrimonial disputes between the petitioner/de facto complainant and respondent No. 1/accused No. 1, and civil as well as family dispute cases are pending before the Courts below, including the Family Court. In view of the fact that respondent No. 1/accused No. 1 has complied with the conditions imposed by this Court in Crl.P. No. 4296 of 2022,

dated 29.06.2022, this Court is inclined to dispose of the present criminal petition.

6. In the result, the criminal petition is disposed of with the following conditions:

- i. The respondent No.1/Accused No.1 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.
- ii. The respondent No.1/Accused No.1 shall not commit or indulge in commission of any offence in future.

As a sequel thereto, the miscellaneous petitions pending, if any, shall stand closed.

DR.VENKATA JYOTHIRMAI PRATAPA, J

Date: 29.04.2026
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THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL PETITION NO: 5713 OF 2023

29.04.2026

SDP