APHC010478122026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3521]**
(Special Original Jurisdiction)

THURSDAY, THE 15th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 8047/2026

Between:

1. PRATYUSH REDDY ALIAS K PRATHYSH, S/O K. NAGARAJA REDDYAGED ABOUT 38 YEARS, R/O 2-13, VALLIVEDU, CHITTOOR MANDAL DISTRICT

...PETITIONER/ACCUSED

AND

1. THE STATE OF ANDHRA PRADESH, REPRESENTED BY PUBLIC PROSECUTOR,HIGH COURT OF AP, THROUGH SHO, PAKALA URBAN POLICE STATION TIRUPATHI.
2. VAGDARI SATISH KUMAR, S/O GOVINDA REDDY,AGED ABOUT 45 YEARS, R/O D.NO.1-2, VALLIVEDU VILLAGEPAKALA MANDAK, TIRUPATHI DISTRICT.

...RESPONDENT/COMPLAINANT(S):

Counsel for the Petitioner/accused:

1. M SIVA JYOTHI

Counsel for the Respondent/complainant(S):

1. VENKATA MOHAN RAO PATHAKOTA
2. PUBLIC PROSECUTOR

The Court made the following:

ORDER:

This Criminal Petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity, 'the BNSS'), by the petitioner/Accused No.1, for granting of pre-arrest bail in connection with Crime No.114 of 2026 of Pakala Urban Police Station, Tirupathi District, registered for the alleged offences punishable under Sections 109(1), 351(3) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for brevity 'the BNS').

2. The case of the prosecution, in brief, is that, on 12.07.2026, the *de facto* complainant lodged a complaint alleging political differences between him and the petitioner/A1. It is alleged that, on 11.07.2026, at about 9:00 p.m., while the *de facto* complainant was conversing with Kadada Siva and Kadada Ravi near a mango garden, the petitioner/A1 arrived in a car along with another person, played songs at a high volume to provoke them, and picked up a quarrel. In the course of the altercation, the petitioner allegedly stabbed the *de facto* complainant below the left side of his chest with a knife, with an intention to kill him. Upon the intervention of others, the petitioner was stopped, and the injured was shifted to Narayanadri Hospital, Tirupati, after receiving first aid. Hence, the present crime.

3. Heard the learned counsel for the petitioner, the learned Assistant Public Prosecutor, and the learned Legal Aid Counsel appearing for respondent No.2. Perused the record.

4. Ms.M.Siva Jyothi, learned counsel for the petitioner, submits that the petitioner is innocent of the alleged offences and has been falsely

implicated in the case. He submits that the petitioner is a law-abiding citizen, has a fixed abode. He further submits that the complaint was lodged with political vendetta, with an intention to defame the petitioner in the society. The allegation that the petitioner acted with an intention to kill is merely an assertion contained in the complaint and the same cannot, by itself, be treated as proof of the requisite intention contemplated under Section 109(1) of BNS, and the intention or knowledge of an accused has to be gathered from the totality of the circumstances. He also submits that the custodial interrogation of the petitioner is not necessary for the purpose of investigation and the legitimate requirements of investigation can be safeguarded by imposing appropriate conditions under Section 482(2) of BNS. He submits that the petitioner undertakes to abide by any conditions that may be imposed by this Court while granting pre-arrest bail. In light of the foregoing submissions, the learned counsel prays that the present petition be allowed in the interest of justice.

5. *Per contra*, Mr.A.Sai Rohit, learned Assistant Public Prosecutor, and Mr.Venkata Mohan Rao, learned Legal Aid Counsel appearing for respondent No.2, opposes the petition and submits that the allegations against the petitioner are serious in nature. He submits that the investigation is still in progress and that the custodial interrogation of the petitioner may be necessary. He further submits that the allegations disclose a *prima facie* case against the petitioner and apprehends that, if granted pre-arrest bail, the

petitioner may influence the witnesses or hamper the investigation. Therefore, he seeks dismissal of the petition.

6. As seen from the record, there was a rowdy sheet opened against the petitioner/Accused No.1 and it was closed. However, learned Assistant Public Prosecutor submits that the rowdy sheet is still active. There is a specific allegation against the petitioner that he stabbed with a knife on the left side of the chest of the respondent No.2. The respondent No.2 suffered grievous injuries. There are two eyewitnesses to the incident. Learned Assistant Public Prosecutor further submits that the weapon which was used for the commission of the alleged offence and the vehicle which was used by the petitioner while committing the offence have to be seized. Custodial interrogation of the petitioner is required in this case. Granting of pre-arrest bail is neither a licence nor permission or passport to commit crime, as per the judgments of the Hon'ble Apex Court in ***Gurbaksh Singh Sibbia v. State of Punjab***[1] *and* ***Sushila Aggarwal v. State of (NCT of Delhi)***[2].

7. As rightly pointed out by the learned Legal Aid Counsel appearing for respondent No.2, on perusal of the allegations levelled in the complaint by the respondent No.2, the petitioner stabbed the respondent No.2 and had the other witnesses not stopped the petitioner from committing any further offence, he would have killed respondent No.2. Thus, accusations are cruel in nature.

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[1] (1980) 2 SCC 565
[2] (2020) 5 SCC 1

8. Having regard to the nature and gravity of the allegations and the specific overt act attributed against the petitioner, this Court is of the considered view that the petitioner is not entitled to the discretionary relief of anticipatory bail. Accordingly, this Court is not inclined to exercise its discretionary jurisdiction in favour of the petitioner by granting pre-arrest bail. Therefore, this Court finds no merit in the Criminal Petition, and the same is liable to be dismissed.

9. In the result, the Criminal Petition is dismissed.

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DR. Y. LAKSHMANA RAO, J

Date: 15.10.2026
BMS