

(2025) 01 AP CK 1534

In the Andhra Pradesh High Court, Amaravati

Case No : Criminal Petition No. 10 Of 2025

Meka Venkatarami Reddy

APPELLANT

Vs

State Of Andhra Pradesh

RESPONDENT

Date of Decision : 17-01-2025

Acts Referred:

Bharatiya Nagarik Suraksha Sanhita, 2023 — Section 483(1)(b)
Bharatiya Nyaya Sanhita, 2023 — Section 253(2), 352, 353(1)(b)
Information Technology Act, 2000 — Section 66
Constitution Of India, 1950 — Article 21

Citation : (2025) 01 AP CK 1534

Hon'ble Judges : Maheswara Rao Kuncheam, J

Bench : Single Bench

Advocate : Ramalakshmana Reddy Sanepalli

Final Decision : Disposed Of

Judgement

Maheswara Rao Kuncheam, J

1. The instant criminal petition is filed under Section 483 (1) (b) of Bharatiya Nagarik Suraksha Sanhitha (in short ?BNSS?) on behalf of the petitioner/A1, seeking to relax the condition imposed vide order dated 06.12.2024 in CrI.M.P No.22862 of 2024 on the file of Prl. Civil Judge (Junior Division), Nandyal, (FAC), JMFC, Nandyal, in connection with Crime No.230 of 2024 of Nandyal Taluk, Police Station.
2. Heard learned counsel for the petitioner and learned Assistant Public Prosecutor.
3. Perused the material available on record.
4. The petitioner is an accused in Crime No.230 of 2024 of Nandyal Taluk, Police Station, registered for offenses punishable under Section 352, 353(1)(b), 253(2) of Bharatiya Nyaya Sanhita Act and Section 66 of Information Technology Act.

5. The petitioner/accused is granted bail by an order dated 06.12.2024 in CrI.M.P.No.22862 of 2024 on the file of Prl. Civil Judge (Junior Division), Nandyal, (FAC), JMFC, Nandyal., on the condition of executing personal bond of Rs.20,000/- with two sureties and he was directed to attend SHO, Nandyal Taluk, Police Station on every Sunday between 10.00a.m to 5.00p.m for a period of three (03) months or until filing of the charge sheet whichever is earlier.

6. It is contended by the learned counsel for the petitioner that the petitioner is aged about 49 years and he is eking out his livelihood, primarily by doing small-scale agriculture business to support his family. It is further contended that in view of the conditions imposed by various Hon?ble Courts in connection with multiple cases, the petitioner is forced to go to the respective Police Stations in and around Andhra Pradesh continuously round the clock, which directly affects his right to life. Hence, the criminal petition.

7. Having regard to the above facts and circumstances, it is apparent that the petitioner is involved in several cases in similar type of offenses, in order to comply with the respective Hon?ble Courts? directions, is bound to go around the clock in a week to the different jurisdictional Police Stations, which naturally affects his right to life. As the right to life is one of the indispensable fundamental right as enunciated in Article 21 of the Constitution of India. Hence, this Court by adopting pragmatic and purposive import, that "excessive bail is no bail" and also in view of the Law laid down by the Apex Court in Policy Strategy for Grant of Bail, in RE (2024) 10 SCC 685 and Girish Gandhi Vs. State of Madhya Pradesh (2024) 10 SCC 674, is inclined to modify the condition to the extent that the petitioner shall attend SHO, Nandyal Taluk, Police Station once in a month i.e., on 1st Sunday between 10.00am and 5.00pm, till the filing of the Charge Sheet. The rest of the conditions shall remain unaltered.

Accordingly, the criminal petition is disposed of. Pending miscellaneous applications, if any, shall stand closed.