

**(2025) 05 AP CK 0302**

**In the Andhra Pradesh High Court, Amaravati**

**Case No : Criminal Petition No: 3892 Of 2025**

Pinniboyina Lakshmi Narayana

APPELLANT

Vs

State Of Andhra Pradesh

RESPONDENT

**Date of Decision : 29-05-2025**

**Acts Referred:**

Bharatiya Nagarik Suraksha Sanhita, 2023 — Section 482  
Bharatiya Nyaya Sanhita, 2023 — Section 3(5), 49, 109(1)

**Citation : (2025) 05 AP CK 0302**

**Hon'ble Judges : DR. Y. Lakshmana Rao, J**

**Bench : Single Bench**

**Advocate : Akurathi Rama Krishna**

**Final Decision : Allowed**

## **Judgement**

Dr Y. Lakshmana Rao, J

1. The Criminal Petition has been filed under Section 482 of the BNSS, by the petitioner/A6 for granting of pre-arrest bail in connection with Crime No.55 of 2025 of Chirala Rural Police Station, Bapatla District, registered for the alleged offences punishable under Sections 109(1), 49 r/w 3(5) of Bharatiya Nyaya Sanhita, 2023 (for brevity 'the BNS').

2. Facts, in brief, of the case are that the incident occurred on 30.03.2025 at about 8.30 hours at Gavinivaripalem Village, Chirala Mandal and the same was reported in the police station on the same day at 11.00 hours by the hospital intimation and statement of defacto complainant that he is working as CISF constable at Taj Mahal, Agra, Uttar Pradesh State wherein A1 to A5 have developed animosity against the complainant due to land boundaries dispute between A1 and grandmother of complainant, waiting for an opportunity and with an intention to do away the life of the complainant, the accused armed with knives being used to slash palm fruits and rod, among them Veeraiah called the complainant while he was present at the house of their relative Padavala

Seshaiah. When the defacto complainant went on to the road, instantly A1 to A5 attacked him, abused in filthy language demanding how he would decide the boundaries, among them and A2 shouted loudly to hack him, on that A3 tried to hack with knife being used to slash palm fruits, the complainant kept his hands across the knife and caused bleeding injury on below elbow. Then A2 took the knife from A3 and hacked him, when the complainant kept his left hand across the knife and received bleeding injury on below left hand shoulder and back side of left elbow, then A4 hacked the complainant on his left thigh with knife and caused bleeding injury from left thigh to knee, then A5 beat him with iron rod over his back and caused swelling injuries. The defacto complainant fell down on the ground, on that A4 dragged him for some distance. Meanwhile Gavini Nalla Somaiah and some neighbours witnessed the incident and rescued him from the hands of accused. Then the complainant was shifted to GAH, Chirala for treatment.

3. Heard learned counsel for the petitioner and the learned Assistant Public Prosecutor. Perused the record.

4. Learned counsel for the petitioner submits that the petitioner has not committed any offence and he was falsely implicated in this case. The petitioner would abide by any condition to be imposed by this court.

5. Per contra, Ms. P. Akila Naidu, learned Assistant Public Prosecutor, opposed in granting of bail on the ground that some more material witnesses have to be examined; investigation is not completed; if the petitioner is enlarged on bail, he would not be available for the investigation and he would escape from the clutches of law; and urged to dismiss the bail petition.

6. A perusal of the material on record, it shows that the petitioner/A6 was not named in the FIR lodged by the defacto complainant. However, the petitioner's name was later included in the remand report, which alleged that he was involved in the commission of the offence under Section 109(1) read with Section 3(5) of 'the BNS'. It is not in dispute that the petitioner is working as a GRP Constable at Guntakal. In view of the nature of the allegations made against the petitioner, his alleged role in the case, and the gravity of the offence, this Court is inclined to consider the petitioner's request for grant of anticipatory bail.

7. Accordingly, this criminal petition is allowed with the following directions:

- a) In the event of arrest of the petitioner, the petitioner shall be enlarged on bail on executing a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only), with two sureties each for the like sum each to the satisfaction of the arresting police officials;
- b) The petitioner shall make himself available for investigation as and when required;
- c) The petitioner shall not cause any threat, inducement or promise to the prosecution witnesses;

d) The petitioner shall appear before the Station House Officer concerned once in a month i.e., on every second Saturday between 10.00 a.m., and 05.00 p.m., till filing of the charge sheet.

e) The petitioner shall not leave the district limits without the express permission from the Station House Officer concerned.