

(2025) 11 AP CK 0648

In the Andhra Pradesh High Court

Case No : Criminal Petition No: 11128 Of 2025

Polamarasetty Ratnaraju Alias Ratan Raju

APPELLANT

Vs

State Of Andhra Pradesh

RESPONDENT

Date of Decision : 25-11-2025

Acts Referred:

Bharatiya Nagarik Suraksha Sanhita, 2023 — Section 482

Bharatiya Nyaya Sanhita, 2023 — Section 61(2), 109, 127(2), 131, 308(5), 318(4), 351(2)

Citation : (2025) 11 AP CK 0648

Hon'ble Judges : Dr Y. Lakshmana Rao, J

Bench : Single Bench

Advocate : N Ravi Prasad

Final Decision : Dismissed

Judgement

Dr Y. Lakshmana Rao, J

1. Criminal Petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 the BNSS by the Petitioner/Accused No.7 for granting of pre-arrest bail in connection with Crime No.382 of 2024 of Kancharapalem Police Station, Visakhapatnam, registered for the alleged offences punishable under Sections 109, 308(5), 318(4), 127(2), 131, 351(2) and 61(2) of the Bharatiya Nyaya Sanhita, 2023 the BNS and 67-A of the Information Technology Act, 2000 the IT Act.

2. Sri N. Ravi Prasad, learned counsel for the Petitioner submits that the Petitioner has been falsely implicated in the instant proceedings and asserts that no offence, as alleged in the complaint, has been committed by him. It is contended that the Petitioner is the sole breadwinner of his family, and any coercive action, including arrest, would result in grave and irreparable hardship to his dependent family members. It is further submitted that the Petitioner is a law-abiding citizen with a permanent place of residence and is willing to comply with any condition that this Court may deem fit and proper for the grant of

anticipatory bail. The learned counsel for the petitioner further submits that the petitioner himself is a victim in the hand of the Accused No.1, the Petitioner has transferred Rs.7 lakhs to the account of the accused No.1. The petitioner was in judicial custody in another crime. The police have not chosen to file PT warrant and get it executed in this case. The police purposefully to harass the petitioner implicated the petitioner in this case falsely. Except one bald statement in the complaint lodged by the de-facto complainant there is no allegation against the petitioner. The Petitioner undertakes to cooperate fully with the ongoing investigation and assures the Court of his continued presence as and when required and it is urged to enlarged the petitioner on bail

3. Learned Counsel for the Petitioner also submits that there is no recovery attributable to the Petitioner and that custodial interrogation is neither necessary nor justified in the facts and circumstances of the present case. The Petitioner has already extended full cooperation to the Investigating Officer and there exists no reasonable apprehension of his absconding or tampering with the prosecution evidence and it is prayed that this Court may be pleased to grant pre-arrest bail to the Petitioner/Accused No.7 in the interest of justice and equity.

5. Per contra, Ms.P. Akhila Naidu, learned Assistant Public Prosecutor has strenuously opposed the prayer for anticipatory bail, asserting that the investigation is at a nascent and sensitive stage, and that custodial interrogation of the Petitioner is indispensable for unearthing material facts germane to the offence. It is submitted that enlargement of the Petitioner on pre-arrest bail at this juncture would seriously impede the investigative process, as there exists a grave apprehension that the Petitioner may not extend requisite cooperation and may attempt to evade the due process of law.

6. The prosecution further contends that the petitioner, if granted the relief sought, may exert undue influence upon material witnesses or tamper with incriminating evidence, thereby vitiating the integrity of the investigation and obstructing the course of justice. Given the gravity of the allegations and the potential prejudice to a fair and impartial inquiry, the learned Assistant Public Prosecutor further submits that the petitioner is the key person who introduced Accused No.1 to de-facto complainant. There are three similar adverse antecedents reported against the petitioner. This is the second anticipatory bail application, which is not maintainable as per the judgment of the Hon'ble Apex Court in G.R. Ananda Babu v. State of Tamil Nadu (2021) 16 SCC 725. Hence, it is prayed that the instant application be dismissed in the interest of justice and to safeguard the sanctity of the investigative process.

7. Indeed, this Court, in Crl.P.No.7142 of 2025 dated 24.09.2025, dismissed the first anticipatory bail application. The petitioner has now filed the second bail application seeking the very same relief of pre-arrest bail.

8. The Hon'ble Apex Court in G.R. Ananda Babu v. State of Tamil Nadu supra wherein at para No.6 as under :

"6...As a matter of fact, successive anticipatory bail applications ought not to be entertained and more so, when the case diary and the status report, clearly indicated that the accused (Respondent 2) is absconding and not cooperating with the investigation. The specious reason of change in circumstances cannot be invoked for successive anticipatory bail applications, once it is rejected by a speaking order and that too by the same Judge."

9. There are specific overt acts attributed to the petitioner, indicating that he, along with the main accused, acted with guilty intention to subject the de-facto complainant to pressure and extortion to obtain huge amounts. Hence, there are no merits in this Criminal Petition.

10. Accordingly, this criminal petition is dismissed.