



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

**[3573]**

FRIDAY, THE TWENTY SECOND DAY OF MAY  
TWO THOUSAND AND TWENTY SIX

**PRESENT**

**THE HONOURABLE SRI JUSTICE BALAJI MEDAMALLI**

**CRIMINAL PETITION NO: 4468/2026**

**Between:**

1. GONAPATLA SEENA ALIAS GUNDLAMADUGU SREENIVASULU,  
,S/O NAGAPPA, AGED 43 YEARS, D.NO.3-134,RAPTHADUVILLAGE  
AND MADAL,ANANTHAPURAMUDISTRICT.

**...PETITIONER/ACCUSED**

**AND**

1. THE STATE OF ANDHRA PRADESH, ,Represented through Public  
Prosecutor, Honble High Court of Andhra Pradesh,Amaravati.

**...RESPONDENT/COMPLAINANT**

Petition under Section 437/438/439/482 of Cr.P.C and 528 of BNSS  
praying that in the circumstances stated in the Memorandum of Grounds of  
Criminal Petition, the High Court pleased to enlarge/ release the petitioner/  
Accused No.3 on bail pending trial in Crime No.76 of 2025 on the file of  
Rapthadu Police Station, Anathapuramu District in the interest of justice and  
pass

**Counsel for the Petitioner/accused:**

1. B VASANTHA LAKSHMI

**Counsel for the Respondent/complainant:**

1. PUBLIC PROSECUTOR

**The Court made the following:**

**ORDER**

This Criminal Petition, under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, has been filed by the Petitioner/A.3, seeking bail, in Crime No.76 of 2025 of Rappthadu Police Station, Ananthapuramu District.

2. A case has been registered against the Petitioner/A.3 herein and other accused for the offences punishable under Section 118(1), 109(1), 103(2) r/w. Section 3(5) of Bharatiya Nyaya Sanhita, 2023 (for short, 'BNS').

3. The case of the prosecution, in brief, is that on 17.05.2025 at about 09:30 A.M., at the agricultural fields of Gangulakunta Village, Rappthadu Mandal, the accused persons, owing to a land dispute relating to Survey No.5, allegedly attacked the deceased Chigicherla Narayanareddy and his wife Mutyalamma with sickles, causing grievous bleeding injuries. It is alleged that Mutyalamma died on the spot, while Narayanareddy succumbed to injuries during treatment at GGH, Ananthapuramu, on the same day at about 12:50 P.M. Based on the complaint lodged by Chigicherla Pradeepkumar Reddy, a case was registered against the petitioner herein and other accused.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the case. Except for a vague allegation that he, along with others, attacked the deceased, no specific overt act has been attributed to him. She further submits that the petitioner is a respectable person possessing both movable and immovable properties, and he has been falsely implicated solely to tarnish his reputation. She further submits that though the investigation is stated to have been completed, cognizance could not be taken as the FSL report is still awaited. The charge sheet filed on 10.10.2025 was returned on 23.12.2025 for non-filing of the FSL report, and the matter continues to remain at the pre-cognizance stage. It is further submitted that the petitioner is entitled to bail, as the investigation has not

attained finality and there has been an inordinate delay of more than eight months. The petitioner has been in judicial custody for over eight months and is entitled to bail in view of the law laid down in *Satender Kumar Antil v. CBI*. Since the FSL report is still pending and the trial has not commenced, the petitioner is also entitled to bail in the light of *Union of India v. K.A. Najeeb*. She further submits that co-accused A1, A4 to A8, and A11 have already been granted bail. The petitioner has no criminal antecedents, is a permanent resident of Rappthadu Village, and there is no likelihood of his tampering with the evidence or absconding. It is further submitted that the petitioner was arrested on 13.09.2025 and has been in continuous judicial custody ever since. The petitioner is also suffering from asthma. She further submits that his wife, two daughters pursuing their studies, and aged ailing mother are entirely dependent upon him.

5. Learned Assistant Public Prosecutor opposed the Criminal Petition, contending that a charge sheet had already been filed on 07.10.2025 and that the matter is presently at the stage of cognizance. She further submits that the case pertains to a double murder and that there are specific allegations against the petitioner. It is contended that the petitioner cannot claim parity with the co-accused who were granted bail, and accordingly prayed for dismissal of the Criminal Petition.

6. Heard learned counsel appearing on behalf of the Petitioner/A.3 and learned Assistant Public Prosecutor appearing on behalf of the Respondent/State.

7. Perused the material available on record.

8. A perusal of the record reveals that the Police have already filed the charge sheet. Learned Assistant Public Prosecutor submitted that the charge sheet filed before the concerned Magistrate was initially returned for non-submission of the FSL report and was subsequently re-submitted, and the matter is presently at the PRC stage.

9. It is not in dispute that all the other accused, except A2, A9, and the petitioner/A3 herein, have already been enlarged on bail. It is also undisputed that the petitioner/A3 has been in judicial custody since 12.09.2025, i.e., for about eight months. Therefore, the petitioner is no longer required for the purpose of investigation, and his release would not hamper the investigation in any manner.

10. Further, there is no material on record to indicate that grant of bail to the petitioner would defeat the ends of justice. Nothing has been placed before this Court to suggest that the petitioner is likely to commit any offence or misuse the liberty, if released on bail.

11. At this stage, the allegations against the Petitioner are subject to the trial's outcome. The trial is anticipated to take a considerable amount of time. Bail serves the purpose of allowing an accused to remain free until his guilt or innocence is determined. It is settled law that mere apprehension that the Accused would tamper with the Prosecution evidence or intimidate the witnesses cannot be a ground to refuse bail unless the Prosecution shows that the Accused tried for such tampering/intimidation.

12. The Petitioner's continued preventive custody cannot be based on an unsubstantiated suspicion that he might tamper with the evidence or influence witnesses. Given the penal provisions invoked viz-a-viz pre-trial custody, coupled with the prima facie analysis of the nature of allegations, and the other factors peculiar to this case, there would be no justifiability further pre-trial incarceration at this stage, subject to the compliance of terms and conditions mentioned in this order. It is not in dispute that the Petitioner has got permanent abode, there is no possibility of fleeing from justice.

13. Having regard to the allegations in the complaint, the contents of the case diary, and the submissions made by the learned counsel appearing for the petitioner, this Court is of the view that the petitioner/A.3 is entitled to be enlarged on regular bail, subject to the following conditions.

- (a) The petitioner/A.3 shall be released on bail on executing a personal bond for a sum of Rs.20,000/- (Rupees Twenty Thousand Only) with two sureties for a like sum each to the satisfaction of the learned Special Judicial Magistrate of First Class (Mobile Court), Ananthapuramu.
- (b) On release, the petitioner/A.3 shall appear before the Investigating Officer once in a week i.e., on every Sunday between 10.00 AM and 1.00 PM for a period of three (03) months.
- (c) The petitioner 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 from disclosing such facts to the Court or to any police officer or tamper with the evidence.
- (d) The petitioner/A.3 shall not commit or involve himself in any offence during the pendency of the case.
- (e) The petitioner/A.3 shall surrender his passport, if any, before the concerned Court. In case he do not possess passport, he shall file affidavit to that effect before the concerned Court.
- (f) The petitioner/A.3 shall not leave the country without prior permission of the concerned Court.

14. In the event of violation of any of the above conditions, the prosecution is at liberty to seek cancellation of bail.

15. It is made clear that the observations made in this order are only for the purpose of deciding the present bail application and shall not be construed as an expression of opinion on the merits of the case.

16. Accordingly, the Criminal Petition is ***allowed***.

As a sequel thereto, the miscellaneous applications, if any, pending in this Criminal Petition, shall stand closed.

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**JUSTICE BALAJI MEDAMALLI**

**Date: 22.05.2026.**

**MS**

**HON'BLE SRI JUSTICE BALAJI MEDAMALLI**

**Criminal Petition No: 4468 of 2026**

**Date: 22.05.2026**

**MS**