APHC010284872026

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

MONDAY, THE TWENTY SECOND DAY OF JUNE
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 4584/2026

Between:

1. SANDRA LOKESH CHOWDARY, S/O. SUBRAHMANYAM NAIDU,AGED 28 YEARS,R/O. FLAT NO.302, BR PRASHANTHI,100 FT RDJAI HIND GANDHI ROADRANGAREDDY DISTRICT - 500081,TELANGANA.

...PETITIONER/ACCUSED

AND

1. THE STATE OF ANDHRA PRADESH, Rep. by its Public Prosecutor, High Court at NelapaduAmaravati, through the Station House Officer,Special Enforcement Bureau, Indukurupeta Circle,SPSR Nellore District

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused:

1. MALIREDDY GOWTHAM

Counsel for the Respondent/complainant:

1. PUBLIC PROSECUTOR

The Court made the following:

ORDER:

The Criminal Petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity 'the BNSS') by the Petitioner/Accused No.3 for granting of pre-arrest bail in connection with C.C.No.113 of 2022 on the file of the learned Judicial Magistrate of First Class, Sathyavedu in Crime No.31 of 2022, dated 29.03.2022, on the file of the Special Enforcement Bureau, Indukurupeta Circle, SPSR Nellore District, registered for the alleged offence punishable under Section 34(a)(1)(i) of A.P.Excise Act, 1968.

2. Heard the learned counsel for the Petitioner/Accused No.3 and the learned Assistant Public Prosecutor. Perused the record.

3. The role of the petitioner/Accused No.3 came to light based on the confession of Accused No.1, in whose house seized contraband was noticed. The charge sheet has been filed stating that the petitioner has been absconding.

4. On 21.04.2026, in Criminal M.P. No.417 of 2026 in Crime No.31 of 2022 on the file of the learned Special Enforcement Bureau, Indukurupeta Circle, the application filed by the petitioner seeking grant of anticipatory bail was dismissed.

5. Indeed, the existence of adverse antecedents of a similar nature by itself is not a sole ground for refusing the request for grant of regular or pre-arrest bail, as held by the **Hon'ble Apex Court in Prabhakar Tewari v. State**

of Uttar Pradesh and others[1]. Even otherwise, an accused is presumed to be innocent until proven guilty.

6. In this context, it is apposite to refer the judgment of the Hon'ble Apex Court in **P. Krishna Mohan Reddy v. State of Andhra Pradesh**[2], at Para Nos.27 and 53 (iv) it is held as under:

> "*27. To some extent, the petitioners could be said to have made out a prima facie case of political bias or mala fides but that by itself is not sufficient to grant anticipatory bail overlooking the other prima facie materials on record. Political vendetta or bias if any is one of the relevant considerations while considering the plea of anticipatory bail. The courts should keep one thing in mind, more particularly, while considering the plea of anticipatory bail that when two groups of rival political parties are at war which may ultimately lead to litigations, more particularly, criminal prosecutions there is bound to be some element of political bias or vendetta involved in the same. However, political vendetta by itself is not sufficient for the grant of anticipatory bail. The courts should not just look into the aspect of political vendetta and ignore the other materials on record constituting a prima facie case as alleged by the State. It is only when the court is convinced more than prima facie that the allegations are frivolous and baseless, that the court may bring into the element of political vendetta into consideration for the purpose of considering the plea of anticipatory bail. The frivolity in the entire case that the court may look into should be attributed to political bias or vendetta.*
> *53. From the above exposition of law, the following emerges:*
> *(iv) Where such police statement of an accused is confessional statement, the rigour of Section(s) 25 and 26 respectively will apply with all its vigour. A confessional statement of an accused will only be admissible if it is not hit by Section(s) 24 or 25 respectively and is in tune with the provisions of Section(s) 26, 28 and 29 of the Evidence Act respectively.*
> *In other words, a police statement of an accused which is in the form of a confession is per se inadmissible and no reliance whatsoever can be placed on such statements either at the stage of bail or during trial. Since such confessional statements are rendered inadmissible by virtue of Section 25 of the Evidence Act, the provision of Section 30 would be of no avail, and no reliance can be placed on such confessional statement of an accused to implicate another co-accused.*"

7. Considering the facts and circumstances of the case, the gravity and nature of the allegations leveled against the Petitioner/Accused No.3, this

[1] 2020 (11) SCC 648
[2] 2025 SCC Online SC 1157

Court is inclined to grant pre-arrest bail to the Petitioner/Accused No.3, with some stringent conditions.

8. In the result, the Criminal Petition is allowed with the following stringent conditions:

i. In the event of his arrest, the Petitioner/Accused No.3 shall be enlarged on bail subject to his executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties for the like sum each to the satisfaction of the Station House Officer, Special Enforcement Bureau, Indukurupeta Circle, SPSR Nellore District.

ii. The Petitioner/Accused No.3 shall appear before the Station House Officer concerned, on every Saturday in between 10:00 am and 05:00 pm, till filing of the charge sheet.

iii. The Petitioner/Accused No.3 shall not leave the limits of the State of Andhra Pradesh without prior permission from the Station House Officer concerned.

iv. The Petitioner/Accused No.3 shall not commit or indulge in commission of any offence in future.

v. The Petitioner/Accused No.3 shall cooperate with the investigating officer in further investigation of the case and shall make himself available for interrogation by the investigating officer as and when required.

vi. The Petitioner/Accused No.3 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/her from disclosing such facts to the court or to any police officer.

DR. Y. LAKSHMANA RAO, J

Date: 22.06.2026
JLSR

65

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 4584 of 2026

Date:22.06.2026
JLSR