



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

[3520]

FRIDAY, THE FIFTH DAY OF JUNE
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE A. HARI HARANADHA SARMA

CRIMINAL PETITION Nos. 4527 and 4626 of 2026

CRIMINAL PETITION NO: 4527/2026

Between:

1.SMT SHABINA ALIAS GOWRI SHABINA KHANAM, W/O GOWRI IMRANKHAN , MUSLIM,HOUSE WIFE , AGED ABOUT 35 YEARS, RESIDING AT D.NO.8/26, KANDURU ROAD,NIMMANAPALLE VILLAGE AND MANDAL

...PETITIONER/ACCUSED

AND

1.THE STATE OF ANDHRA PRADESH, REP. BY PUBLIC PROSECUTOR, HIGH COURT OF ANDHRA PRADESH, AMARAVATHI.THROUGH THE SHO, MADANAPALLE I TOWN PS.

...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 grant anticipatory bail to the Petitioner/Accused No. 3 in the event of her arrest in connection with Crime No.69/2026,on the file of Madanapalle I Town UPS, Madanapalle and to pass such other or further Orders as this Hon'ble Court may deem fit and proper in the circumstances of the present case.

Counsel for the Petitioner/accused:

1.JITENDRA KANYALUR

Counsel for the Respondent/complainant:

1.PUBLIC PROSECUTOR

CRIMINAL PETITION NO: 4626/2026:

Between:

1.GOWRI IMRANKHAN, S/O GOWRI ANWARKHAN , AGED ABOUT 36 YEARS, CULTIVATION,RESIDING AT D.NO.8/26, KANDURU ROAD, NIMMANAPALLE VILLAGE AND MANDAL,ANNAMAYYA DISTRICT.

...PETITIONER/ACCUSED

AND

1.THE STATE OF ANDHRA PRADESH, REP. BY PUBLIC PROSECUTOR, HIGH COURT OF ANDHRA PRADESH, AMARAVATHI.

...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 grant Anticipatory Bail to the Petitioner/Accused No.2 in the event of his arrest in connection with Crime No. 69/2026 on The file of SHO, Madanapalle I Town UPS, Madanapalle, Annamayya District and to pass

Counsel for the Petitioner/accused:

1.JITENDRA KANYALUR

Counsel for the Respondent/complainant:

1.PUBLIC PROSECUTOR

THE HONOURABLE SRI JUSTICE A. HARI HARANADHA SARMA
CRIMINAL PETITION Nos. 4527 and 4626 of 2026

COMMON ORDER:

The CrI.P.No.4527 of 2026 has been filed by the petitioner/Accused No.3 and the CrI.P.No.4626 of 2026 has been filed by the petitioner/Accused No.2 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of pre-arrest Bail in Cr.No.69 of 2026 of Madanapalle I Town UPS, Madanapalle, Annamayya District registered against the petitioners/Accused Nos.2 and 3 for the offences punishable under Sections 316(5), 318(4), 61(2) read with 3(5) of the Bharatiya Nyaya Sanhitha, 2023 (for short "BNS") and Section 66 of Information Technology Act, 2000-2008.

2. Heard Sri Jitendra Kanyalur, learned counsel for the petitioners and Sri K.Sandeep, learned Assistant Public Prosecutor representing the respondent/State.

3. Since the subject matter in these petitions is one and the same, at the request of the learned counsel on both sides, these matters are being heard together.

4. The prosecution case, in brief, is that, according to the informant, Accused No.1 (A1) was working as a Manager in the business establishment of the complainant/informant and, in that capacity, was entrusted with certain amounts. He misappropriated a sum of Rs.29,88,710/- (Rupees Twenty-Nine Lakhs Eighty-Eight Thousand Seven Hundred and Ten Only) and transferred

various amounts to the bank accounts of A2 to A4, and that the said misappropriation was committed in furtherance of a conspiracy among all the accused. Based on these allegations, a case in Crime No.69 of 2026 was registered on the file of Madanapalle I Town UPS, Madanapalle, Annamaya District, for the offences punishable under Sections 316(5), 318(4), and 61(2) read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023, and Section 66 of the Information Technology Act, 2000-2008.

5. Learned counsel for the petitioners would submit that the applications filed seeking pre-arrest bail by the Accused Nos.2 and 3 vide CrI.M.P.Nos.100 of 2026 and CrI.M.P.Nos.89 of 2026 respectively before the learned II Additional District and Sessions Judge, Madanapalle were dismissed. He would further submit that the A2 and A3 are husband and wife respectively. Learned counsel for the petitioners would further submit that the allegations of breach of trust and entrustment of any money to the petitioners cannot be believed and even as per the prosecution case, it is between the complainant and A1 alone. Replying the same, learned Assistant Public Prosecutor would submit there are allegations of conspiracy and common intention for misappropriation.

6. The substantial allegations appear to be supported by certain recorded transactions. The prosecution has opposed the grant of pre-arrest bail on the ground that the offence involves financial irregularities, the investigation is still in progress, and A4 has not yet been arrested.

7. Learned counsel for the petitioners would submit that A3 is the wife of the A2. She is no way connected with the business transactions of the other accused. She has to take care of her children and other family responsibilities.

8. Learned Assistant Public Prosecutor would further submit that verification of accounts of all the accused is very much necessary. Therefore, the granting pre-arrest bail to the petitioners at this stage will adversely affect the ongoing investigation.

9. Upon considering the factual scenario and objections raised by the prosecution, the prayer for grant of pre-arrest bail of A3 is found to be convincing but the prayer of A2 for grant of pre-arrest bail is found to be not convincing at this stage.

10. In view of the same, the petition filed by A2 viz., Mr. Gowri Imrankhan i.e., CrI.P.No.4626 of 2026 is hereby dismissed and the petition filed by A3 viz., Mrs.Shabina @ Gowri Shabina Khanam, i.e., CrI.P.No.4527 of 2026 is allowed subject to the following conditions:

1) The Petitioner/A3 shall be released on bail in the event of her arrest in respect of Cr.No.69 of 2026 of Madanapalle I Town UPS, Madanapalle, Annamayya District, which was registered with the allegation of committing offences under Sections 316(5), 318(4), 61(2) read with 3(5) of Bharatiya Nyaya Sanhita (BNS) Section 66 of I.T.Act 2000-2008, on the condition of Petitioner/A3 executing bail bonds for **Rs.25,000/-** with two sureties each for a

like sum to the satisfaction of the S.H.O., Madanapalle I Town Urban Police Station.

2) However, for the purpose of expediting the investigation process, petitioner/A3 is at liberty to appear before the concerned Court and furnish the above stated bail bonds to the satisfaction of the concerned Magistrate, on which she shall be released on bail.

3) The Petitioner/A3 and her sureties shall furnish their permanent residential address details and identity particulars to the concerned police within fifteen (15) days after her release and keep the Police informed about the change in address, if any, time to time.

4) The Petitioner/A3 shall co-operate with the investigation agency, by furnishing necessary and legally permissible information and they shall not interfere with the investigation process like contacting or influencing the witnesses etc.

5) The Petitioner/A3 shall not leave India, without permission of the concerned Court.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

A. HARI HARANADHA SARMA, J

Date: 05.06.2026
UPS/NSM

THE HONOURABLE SRI JUSTICE A. HARI HARANADHA SARMA

CRIMINAL PETITION Nos. 4527 and 4626 of 2026

Date: 05.06.2026

UPS/NSM