

APHC010257512026



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

[3573]

THURSDAY, THE FOURTEENTH DAY OF MAY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE BALAJI MEDAMALLI

CRIMINAL PETITION NO: 4075/2026

Between:

1. B CHINA MALLAIAH, S/O MALLAIAH, AGED ABOUT 61 YEARS, OCC
CIRCLE INSPECTOR OF POLICE, R/O BESTAVARIPETA,
PRAKASAM DISTRICT.

...PETITIONER/ACCUSED

AND

1. THE STATE OF ANDHRA PRADESH, Rep. by its Public
Prosecutor, High Court at Amaravati, through Station House
Officer Vinukonda P.S., Palnadu District.

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused:

1. CHALLA AJAY KUMAR

Counsel for the Respondent/complainant:

1. V V LAKSHMI NARAYANA

2. PUBLIC PROSECUTOR

The Court made the following ORDER:

1. This Criminal Petition, under Section 482 of the Bharatiya Nagarik
Suraksha Sanhita, 2023 (for short, 'BNSS') is filed on behalf of the
Petitioner/Accused seeking anticipatory bail in Crime No.99 of 2026 of

Vinukonda Police Station, Palnadu District, registered for the offence punishable under Section 64(1) of Bharatiya Nyaya Sanhita, 2023 (for short, 'BNS').

2. The case of the prosecution, in brief, is that the defacto complainant lodged a written complaint on 29.04.2026 at about 4:00 PM alleging that the complainant and her family have known the petitioner for nearly ten years. The petitioner, a Circle Inspector of Police, had established a Police Coaching Centre and became acquainted with the complainant at Vinukonda Town, where she used to prepare food for students. About four years ago, the petitioner, while visiting Vinukonda on personal work, began taking meals at the complainant's residence. Subsequently, the petitioner set up a poultry farm at Brahmanapalli Village and started residing in a separate room in the complainant's rented premises, paying for accommodation and meals. On 28.04.2026 at about 5:30 PM, the complainant and her husband returned to their house, and on 29.04.2026 at about 11:30 AM, while the complainant was alone in her room, the petitioner entered, caught hold of her hand, and, despite her resistance and cries, forcibly committed rape upon her. Based on the above allegations, a case has been registered under Section 64(1) of the BNS.

3. Learned counsel for the petitioner submits that the petitioner, being a public servant, has not committed any offence, much less the offence alleged and the complaint is a pure work of imagination and scripted to defame the petitioner professionally and personally and the petitioner is willing to

cooperate with the investigation and the statements under section 164 Cr.P.C., were already been recorded and the investigation has been completed.

4. Per contra, the learned Assistant Public Prosecutor submits that the petitioner/accused is the Inspector of Police and there is every possibility of interfering with the investigation and the investigation is not yet completed. Learned Assistant Public Prosecutor also produced the case diary which shows the son of the petitioner had called and threatened the defacto complainant/victim i.e., the 2nd respondent herein.

5. The respondent No.2 herein is impleaded under order in I.A.No.2 of 2026.

6. The affidavit filed in support of I.A.No.2 of 2026 clearly indicates that on 29.04.2026, while the defacto complainant was at the police station, the petitioner's son, by name Siva Sankar, called her through his mobile, and upon the call not being answered, he sent a message threatening to initiate several cases for defamation, cheating and honey trapping etc.

7. Considering the material on record and the position held by the petitioner, this Court is of the opinion that there exists a strong likelihood of the petitioner interfering with the investigation and influencing or prevailing upon the defacto complainant/victim. Having regard to the gravity of the allegations leveled against the petitioner, this Court is of the considered view that it is not a fit case for grant of pre-arrest bail to the petitioner.

8. It is explicitly clarified that the observations made in this order are preliminary and pertain solely to the decision on the present application without indicating a stance on the case's merits. The Investigating Agency is free to investigate without being influenced by the observations in this order.

9. Consequently, the Criminal Petition, lacking merit, is liable to be ***dismissed***.

Miscellaneous applications pending, if any, shall stand closed.

JUSTICE BALAJI MEDAMALLI

Date: 14.05.2026
SAK

THE HONOURABLE SRI JUSTICE BALAJI MEDAMALLI

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SAK

