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

**[3521]**

MONDAY, THE 6<sup>th</sup> DAY OF JULY 2026

**PRESENT**

**THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO**

**CRIMINAL PETITION NO: 4775/2026**

**Between:**

1.T GEVANAMMA, W/O. T. MOHAN BABU.AGED 43 YEARS, R/O. M.  
BANDAPALLI VILLAGE PANCHAYATH,PUTHALAPATTU MANDAL,  
CHITTOOR DISTRICT.

**...PETITIONER/ACCUSED**

**AND**

1.THE STATE OF ANDHRA PRADESH, rep. by its Public  
Prosecutor,High Court of Andhra Pradesh at Amaravati.

**...RESPONDENT/COMPLAINANT**

**Counsel for the Petitioner/accused:**

1.D PURNACHANDRA REDDY

**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 Code of Criminal Procedure, 1973 (for brevity, 'the Cr.P.C.,') / Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity, 'the BNSS'), seeking extension of time by one week to enable the Petitioner/Accused No.4 to surrender/appear before the learned II Additional Judicial Magistrate of First Class, Chittoor, in connection with CrI.M.P.No.363 of 2025 dated 14.08.2025, arising out of Crime No.66 of 2025 of Puthalapattu Urban Police Station, which is pending on the file of the learned I Additional District & Sessions Judge, Chittoor.

2. Heard learned counsel for the Petitioner and the learned Assistant Public Prosecutor. Perused the record.

3. On perusal of the record, the learned I Additional District & Sessions Judge, Chittoor, by order dated 14.08.2025, granted pre-arrest bail to the Petitioner. However, the learned Sessions Judge directed the Petitioner/Accused No. 4 to surrender before the learned II Additional Judicial Magistrate of First Class, Chittoor within a period of seven days from the date of the order, and upon such surrender, she shall be enlarged on bail subject to certain conditions.

4. In this context, it is appropriate to refer to Section 438 of 'the Cr.P.C.,' / Section 482 of 'the BNSS'. These provisions stipulate that while granting anticipatory bail, the learned Sessions Judge shall direct the Investigating

Officer that, in the event of arrest, the accused shall be released on bail. Importantly, Section 438 of 'the Cr.P.C.,' / Section 482 of 'the BNSS' does not contemplate a requirement that the Petitioner must surrender before the jurisdictional Magistrate and only upon such surrender be released on bail.

5. An order of anticipatory bail must strictly conform to the procedure laid down under Section 438 of 'the Cr.P.C.,' / Section 482 of 'the BNSS', and not otherwise. The learned Sessions Judge ought to have directed that, in the event of arrest, the Petitioner shall be enlarged on bail subject to conditions to the satisfaction of the Station House Officer concerned.

6. Be that as it may, the learned Counsel for the Petitioner submits that she is willing to comply with the conditions imposed by the learned Sessions Judge. Since the Petitioner had already been taken into judicial custody prior to the grant of pre-arrest bail, she was unable to comply with the conditions scrupulously, which was beyond her control.

7. Having regard to the facts and circumstances of the case, the condition requires modification as follows:

“In the event of the arrest of the Petitioner, she shall be enlarged on bail by executing a personal bond for a sum of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties for the like sum to the satisfaction of the Station House Officer concerned.”

8. Accordingly, the Criminal Petition is disposed of.

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**DR. Y. LAKSHMANA RAO, J**

Date: 06.07.2026  
PRA

**Whether the order is :**

Speaking Yes/No / Reasoned Yes/No

Reportable Yes/No / Non-Reportable Yes/No

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**THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO**

**CRIMINAL PETITION No.4775 of 2026**

Date: 06.07.2026

PRA