APHC010501222025

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

FRIDAY, THE TWENTY SIXTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 9854/2025

Between:

1. MORIMISETTY JAGADEESH, S/O. MORIMISETTY SURESH, AGED 22 YEARS R/O. D. NO. 1/195, DHARMAVARAM ROAD KOTHACHERUVU VILLAGE MANDAL NOW RESIDING AT PRESTIGE FINSBURY PARK REGENT 14THTOWER 10TH FLOOR, FLAT NO. 14/105, BANGALORE CITY

...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.DEVENDRA NAIK

Counsel for the Respondent/complainant:

1. PUBLIC PROSECUTOR

APHC010501192025

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

FRIDAY,THE TWENTY SIXTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 9866/2025

Between:

1. MORIMISETTY JAGADEESH,, S/O. MORIMISETTY SURESH, AGED 22 YEARS R/O. D. NO. 1/195, DHARMAVARAM ROAD KOTHACHERUVU VILLAGE AND MANDAL NOW RESIDING AT PRESTIGE FINSBURY PARK REGENT 14TH TOWER 10TH FLOOR, FLAT NO. 14/105, BANGALORE CITY

...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.DEVENDRA NAIK

Counsel for the Respondent/complainant:

1. PUBLIC PROSECUTOR

APHC010501232025

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

FRIDAY, THE TWENTY SIXTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 9867/2025

Between:

1. MORIMISETTY JAGADEESH, S/O. MORIMISETTY SURESH, AGED 22 YEARS R/O. D. NO. 1/195, DHARMAVARAM ROAD, KOTHACHERUVU VILLAGE AND MANDAL, NOW RESIDING AT PRESTIGE FINSBURY PARK REGENT 14THTOWER 10TH FLOOR, FLAT NO. 14/105 BANGALORE CITY.

...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.DEVENDRA NAIK

Counsel for the Respondent/complainant:

1. PUBLIC PROSECUTOR

APHC010501202025

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

FRIDAY, THE TWENTY SIXTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 9871/2025

Between:

1. MORIMISETTY JAGADEESH, S/O. MORIMISETTY SURESH, AGED 22 YEARS R/O. D. NO. 1/195, DHARMAVARAM ROAD KOTHACHERUVU VILLAGE AND MANDAL NOW RESIDING AT PRESTIGE FINSBURY PARK REGENT 14TH TOWER 10TH FLOOR, FLAT NO. 14/105, BANGALORE CITY

...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.DEVENDRA NAIK

Counsel for the Respondent/complainant:

1. PUBLIC PROSECUTOR

The Court made the following:

COMMON ORDER:

Criminal Petition No. 9854 of 2025 has been filed, under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, by the petitioner-accused No. 3 seeking for granting of pre-arrest bail to him in crime No. 54 of 2025 of Kothacheruvu Urban Police Station, Sri Sathya Sai District, registered for the offence punishable under Section 318 (4) of the Bharatiya Nyaya Sanhita, 2023.

2. Criminal Petition No. 9866 of 2025 has been filed, under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, by the petitioner-unnumbered seeking for granting of pre-arrest bail to him in crime No. 61 of 2025 of Kothacheruvu Urban Police Station, Sri Sathya Sai District, registered for the offence punishable under Section 318 (4) of the Bharatiya Nyaya Sanhita, 2023.

3. Criminal Petition No. 9867 of 2025 has been filed, under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, by the petitioner-unnumbered accused seeking for granting of pre-arrest bail to him in crime No. 62 of 2025 of Kothacheruvu Urban Police Station, Sri Sathya Sai District, registered for the offence punishable under Section 420 of the Bharatiya Nyaya Sanhita, 2023.

4. Criminal Petition No. 9871 of 2025 has been filed, under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, by the petitioner-unnumbered accused seeking for granting of pre-arrest bail to him in crime No. 55 of 2025 of Kothacheruvu Urban Police Station, Sri Sathya Sai District, registered for

the offence punishable under Section 318 (4) of the Bharatiya Nyaya Sanhita, 2023.

5. All these criminal petitions are heard together and disposed of by way of this common order as the petitioner in all the cases is one and the same albeit the crimes are different.

CASE OF THE PROSECUTION IN CRIME No. 54 OF 2025:

6. Prior to 28-06-2025 at Kothacheruvu Village and Mandal, accused No. 1 contacted de facto complainant and told that he had quality sugar and would supply at low price. Believing the words of accused No. 1, de facto complainant transferred certain amounts to him but accused No. 1 failed to supply the stock to de facto complainant.

CASE OF THE PROSECUTION IN CRIME No. 61 OF 2025:

7. Between 02-03-2025 and 28-05-2025 at Sri Venkateswara Dall Mill, Dharmavaram Road, Kothacheruvu Village and Mandal, the accused contacted de facto complainant and told that he would supply Maize at market price. Believing the words of accused No. 1, de facto complainant transferred certain amounts to him but accused No. 1 failed to supply the stock to de facto complainant.

CASE OF THE PROSECUTION IN CRIME No. 62 OF 2025:

8. Between 29-02-2024 and 14-03-2024 at Kochacheruvu Village and Mandal, the accused contacted de facto complainant and fraudulently obtained red gram stock worth of Rs.2,95,00,200/-. Out of the said amount,

the accused paid only Rs.87,00,000/- to de facto complainant and failed to pay the balance amount of Rs.1,13,95,200/-.

CASE OF THE PROSECUTION IN CRIME No. 55 OF 2025:

9. Between 04-05-2025 and 08-05-2025 at Sri Venkateswara Dall Mill, Dharmavaram Road, Kothacheruvu Village and Mandal, the accused contacted de facto complainant and purchased 34 Quintals of Groundnut worth of Rs.2,50,000/- and 12,000 Quintals of Corn worth of Rs.27,50,000/-. The accused promised that he would pay the amount within 15 days from the date of supply but failed to pay the amount.

CONTENTIONS OF LEARNED COUNSEL FOR THE PETITIONER:

10. Sri D.Devendra Naik, learned counsel for the petitioner, submits that the petitioner is innocent and has been falsely implicated in the alleged offences, without any cogent evidence linking to the commission of the crimes. It is contended that the petitioners is the sole breadwinner of his family and his arrest would cause undue hardship and prejudice to the dependents of the petitioner. The petitioner undertakes to abide by any condition that this Court may impose while granting bail to the petitioner.

11. It is further submitted that the petitioner has permanent place of residence and there is no likelihood of him absconding or evading the process of law. It is also urged that the allegations are of a nature that do not warrant custodial interrogation, and if any condition is imposed while granting pre-arrest bail, the petitioner would not violate it; and it is urged to allow the petition.

ARGUMENTS OF THE STATE:

12. *Per contra*, Sri Neelothpal Ganji, learned Assistant Public Prosecutor, strenuously opposed the grant of pre-arrest bail, contending that the investigation is still underway and several material witnesses yet to be examined. It is submitted that enlargement of the petitioner on bail at this stage would seriously hamper the progress of the investigation and may result in non-cooperation from the petitioner. The prosecution further apprehends that the petitioner, if released, may influence or intimidate witnesses, thereby obstructing the course of justice. It is also urged that there exists a real and imminent risk of the petitioner absconding and evading the due process of law. Given the gravity of the allegations and the potential threat to the integrity of the investigation, it is submitted that the petitioner does not deserve the discretionary relief of pre-arrest bail and it is urged to dismiss the bail petition.

13. Thoughtful consideration is bestowed on the arguments advanced by learned counsel for both sides. I have perused the entire record.

POINT FOR CONSIDERATION:

14. In the light of the case of the prosecution and the contentions of learned counsel for both sides, now the point for consideration is:

"Whether the petitioner is entitled for grant of pre-arrest bail?"

ANALYSIS:

15. The petitioner is aged about 22 years. He is son of accused No. 1 and nephew of accused No. 2. There is no reference about the name of the petitioner in any of the FIRs i.e. namely crime Nos. 54, 61, 62 and 55 of 2025

of Kothacheruvu Urban Police Station. The petitioner is studying M.B.A. Without approaching learned Sessions Judge at first instance, the petitioner filed this petition directly before this Court and such procedure is contrary to the order of the Hon'ble Apex Court in ***Mohammed Rasal C and Another v. State of Kerala and Another***[1]**.** This Court while disposing of the pre-arrest bail application in respect of accused Nos. 1 and 2, who are father and junior paternal uncle of the present petitioner, protected them with some interim order i.e. not to take any coercive steps and directed them to approach learned Sessions Judge concerned as they did not approach learned Sessions Judge concerned at the first instance and they directly approached this Court for grant of pre-arrest bail. There is a special case i.e. the name of the petitioner is not there in the FIRs and he is aged about 22 years, studying M.B.A. He is son of accused No. 1 and nephew of accused No. 2.

CONCLUSION:

16. Considering the facts and circumstances of the case and the nature and gravity of allegations levelled against the petitioner, this Court is inclined to grant pre-arrest bail to him with the following stringent conditions:

(i) In the event of arrest, the petitioner 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 arresting officials;

[1]Special Leave to Appeal (Crl) Nos. 6588 of 2025, dated 08.09.2025.

(ii) The petitioner shall appear before the Station House Officer concerned on every Saturday in between 10:00 am and 05:00 pm till cognizance is taken by learned trial Court;

(iii) The petitioner shall not commit or indulge in commission of any offence in future;

(iv) The petitioner 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;

(v) 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/her from disclosing such facts to the court or to any police officer; and

(vi) The petitioner shall surrender his passport, if any, to the investigating officer. If he claims that he does not have a passport, he shall submit an affidavit to that effect to the Investigating Officer.

17. The criminal petitions are accordingly allowed.

Dr. Y.LAKSHMANA RAO, J.

Date: 26-09-2025,
JSK

HONOURABLE Dr. JUSTICE Y.LAKSHMANA RAO

CRIMINAL PETITION Nos. 9854, 9866, 9867 & 9871 OF 2025

DATE: 26-09-2025

JSK