

APHC010282092025



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

[3396]

WEDNESDAY, THE EIGHTEENTH DAY OF JUNE
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL APPEAL NO: 369/2025

Between:

Prudhvi Uma Sankar,

...APPELLANT

AND

The State and Others

...RESPONDENT(S)

Counsel for the Apellant:

1.K L N SWAMY

Counsel for the Respodent(S):

1.PUBLIC PROSECUTOR

The Court made the following:

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA**CRIMINAL APPEAL NO: 369/2025****JUDGMENT:**

The present Criminal Appeal has been preferred by the Appellant/Accused No.5 against the order of the IV Additional District Sessions Judge-cum- Special Judge for Trial of SCs & STs (POA) Act Cases, Guntur in Crl.M.P.No.880 of 2025 dated 05.06.2025 rejecting the regular bail application in Crime No. 106 of 2025 of Lalapet Police Station, Guntur District.

2. The case of the prosecution is that the Accused No.1 cheated the defacto complainant who is a schedule caste girl by refusing to marry her after fulfilling his sexual lust under false promise of marriage, on receipt of huge amount and gold towards dowry and abused her and insulted her modesty, when the defacto complainant and her supporters compelled A1 to marry her.

3. Heard Sri K.L.N.Swamy, learned Counsel for the Appellant/Accused No.5 and Ms. K. Priyanka Lakshmi, learned Assistant Public Prosecutor on behalf of the State. Notice is served on the de-facto complainant.

4. Learned Counsel for the appellant would submit that the appellant herein is A5 who is the Maternal Uncle of A1. The appellant has nothing to do with the present case. It is alleged against A1 that having agreed for the marriage after performing the engagement ceremony for the marriage. A1 did not choose to marry the victim and A1 along with his family members refused and avoided the marriage with the victim girl. Making such allegations, a

report has been submitted to the Police and the Police registered it as Crime No. 106 of 2025 and investigated into.

5. Now the point that would emerge for determination is “Whether the Impugned Order dismissing the Regular Bail application of the appellant by the Trial Court is sustainable on facts and law?”

6. A perusal of the impugned order would show that the reason for dismissal is that there is no major change of circumstances in between the dismissal of previous bail application as per the CD. There is a gravity and seriousness in the matter.

7. Learned Counsel for the appellant would further submit that the Accused No.5 has nothing to do with the offence. Learned counsel would further submit that subsequent to lodging of the present case, A1 got married with the de-facto complainant and they are living together as a family. Learned counsel would further submit that the appellant has been in judicial custody since 19.05.2025.

8. Learned Assistant Public Prosecutor would submit that there is no other case pending against the appellant who is the Maternal Uncle of A1 and the Court may pass appropriate orders.

9. Considering the submissions made and in the backdrop of the allegations made against the appellant who is Accused No.5, nothing is attributed against him that he participated in the act of alleged cheating against the victim. Furthermore, the appellant has been in judicial custody for

the last one (1) month. By this time, the investigation may also have been completed. Hence it is apposite to release the appellant on regular bail on the following conditions:

i. The Appellant shall execute personal bond for Rs.20,000/- (Rupees Twenty thousand only), with two sureties for a like sum each to the satisfaction of the concerned Magistrate Court..

ii. Appellant is directed not to hamper the investigation and tamper the prosecution witnesses.

iii. It is made clear that the Appellant shall scrupulously comply with the above conditions and breach of any of the above conditions will be viewed seriously and prosecution is at liberty to move an application for cancellation of the bail.

10. In the result, the Criminal Appeal is allowed.

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

Dr. JUSTICE VENKATA JYOTHIRMAI PRATAPA

Date: 18.06.2025

Note: CC today,

B/o.

UPS

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HON'BLE DR. JUSTICE VENKATA JYOTHIRMAI PRATAPA

Crl.A. No.369 of 2025

Dated.18.06.2025

*Note: CC today,
B/o.
UPS*