

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
THURSDAY, THE 30th DAY OF JULY, 2026

PRESENT:

THE HONOURABLE DR. JUSTICE Y. LAKSHMANA RAO
CRIMINAL PETITION NO: 1934 OF 2026



Between:

Dr Manchu Mohan Babu, S/o Late M.Narayana Swamy Naidu, Aged about 78 years, Former Member of Parliament (Rajya Sabha), R/o Plot No.6, Road No.1, Film Nagar, Jubilee Hills, Hyderabad, Telanagana - 500 033.

Petitioner/Accused No.2

AND

1. The State of Andhra Pradesh, Rep. by Public Prosecutor, High Court of Andhra Pradesh, Through SHO, Tiruchanur PS., Tirupathi District.

Respondent/Complainant

2. V. Reddy Kumar, S/o. Subramanayam, aged about 28 years, R/o. Yelikidona, Chowdepalli Mandal, Chittoor District.

(Respondent No.2 is impleaded as per the Court order dated 02.04.2026 in I.A.No.1 of 2026 in CrI.P.No.1934 of 2026)

Respondent No.2/Defacto Complainant

Petition under Section 482 of BNSS (438 of Cr.P.C)., is filed praying that in the circumstances stated in the affidavit filed in support of the Criminal Petition, the High Court may be pleased to grant anticipatory bail in the event of Petitioner's arrest in Crime No. 23 of 2026 dated 03.02.2026 on the file of Tiruchanur Police Station, Tirupathi District in the interest of justice.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the earlier orders of the High Court dated 09.04.2026, 16.04.2026, 22.04.2026, 28.04.2026, 06.05.2026, 18.06.2026, 01.07.2026, 08.07.2026 & 16.07.2026 made herein and upon hearing the arguments of Sri Varun Byreddy, Advocate for the Petitioner and of Public Prosecutor for the Respondent No.1 and of Sri. Madhava Rao Nalluri, Advocate for the Respondent No.2, the Court made the following;

[Handwritten signature]

The Court made the following:**ORDER:**

The Criminal Petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023¹ by the Petitioner/Accused No.2, for granting of pre-arrest bail in connection with Crime No.23 of 2026 of Tirchanur Urban Police Station, Tirupathi District, registered for the alleged offences punishable under Sections 191(2), 115(2), 140(1), 126(2) and 351(2) read with 190, 61(2) of the Bharatiya Nyaya Sanhita, 2023².

FACTUAL MATRIX:

2. The averments of the case of the prosecution are that on 03.02.2026 at about 11:30 AM, SFI leaders Sheikh Ali Akbar and Vinod Kumar were travelling near Lemon Tree Hotel when more than 20 persons in three Innova vehicles obstructed them. The miscreants, claiming to be men of Manchu Mohan Babu, Manchu Vishnu and PRO Satish, assaulted Akbar and Vinod with hands and legs, abused them, and forcibly kidnapped them into the said vehicles. They also took away Akbar's Royal Enfield motorcycle. The incident occurred in the presence of several student leaders including the Respondent No.2 and others, who chased the vehicles but could not rescue them. The Respondent No.2 approached Tiruchanur Police Station seeking immediate rescue of the kidnapped leaders and strict punishment of the accused.

¹'the BNSS'

²'the BNS'

ARGUMENTS OF THE COUNSEL FOR THE PETITIONER:

3. Sri K.S.Murthy, the learned Senior Counsel appearing for Sri Varun Byreddy, the learned Counsel for the Petitioner, submits that the entire prosecution case is a clear abuse of process, engineered with *mala fides* to harass and tarnish the reputation of a 78-year-old public figure. The Petitioner, a former Member of Parliament and founder of Sree Vidyanikethan Educational Trust, was indisputably present in Hyderabad at the relevant time, making his alleged involvement in kidnapping or rioting physically impossible. No specific overt act or presence is attributed to him, and the FIR merely alleges that the attackers claimed to be "men of Mohan Babu," which cannot by itself attract penal liability. The essential ingredients of the invoked offences under Sections 191(2), 115(2), 140(1), 126(2), 351(2) read with 190 and 61(2) of 'the BNS.,' are wholly absent.

4. Learned Senior Counsel further urged that the allegations are farcical, vague, and do not disclose any *prima facie* offence. The invocation of Section 140(1) of 'the BNS.,' relating to kidnapping with intent to murder is wholly misconceived, as there is neither *actus reus* nor *mens rea* attributable to the Petitioner. Similarly, Sections 115(2) and 191(2) of 'the BNS.,' require physical participation in unlawful assembly or rioting, which is not alleged against the Petitioner. The complaint is a counterblast to FIR No.24 of 2026 lodged against student leaders and is clearly motivated by political vendetta and blackmailing tactics. The Petitioner, suffering age-related ailments, is being persecuted through false and fabricated allegations.

5. Lastly, it is submitted by the learned Senior Counsel that the Petitioner is a law-abiding citizen with deep roots in society, residing permanently in Hyderabad with his family. He has cooperated with the investigation, and relevant CCTV footage corroborates his presence in Hyderabad at the time of the alleged incident. There is no possibility of him tampering with evidence or influencing witnesses. Arrest of the Petitioner would serve no investigative purpose and would only result in punitive harassment. Hence, it is urged that this Court may be pleased to grant anticipatory bail to the Petitioner.

ARGUMENTS OF THE ASSISTANT PUBLIC PROSECUTOR:

6. *Per contra*, Mr. A.Sai Rohith, learned Assistant Public Prosecutor vehemently opposed the grant of anticipatory bail and submits that the allegations against the Petitioner are grave and serious in nature, involving offences of kidnapping, rioting, criminal conspiracy and intimidation under 'the BNS'. He submits that the FIR clearly discloses the role of the accused persons, and the contention that the allegations are vague or *mala fide* is untenable. It is further submitted that custodial interrogation of the accused is necessary to unearth the larger conspiracy, to trace the kidnapped student leaders, and to secure material evidence. The learned Assistant Public Prosecutor contends that granting anticipatory bail at this stage would hamper the investigation, embolden the accused, and send a wrong signal to society. He further submits that the Petitioner's age or social standing cannot be a ground to dilute the seriousness of the allegations. It is urged that the offences alleged are of a heinous nature affecting public order and student safety, and

therefore the Petitioner is not entitled to the discretionary relief of anticipatory bail. Hence, it is urged to dismiss the Criminal Petition.

SUBMISSIONS OF COUNSEL FOR RESPONDENT No.2:

7. Mr.Sujith, the learned Counsel appearing for Sri Madhava Rao Nalluri, the learned counsel for Respondent No.2, adopted and reinforced the submissions of the learned Assistant Public Prosecutor, supporting the case set out in the FIR and opposing the grant of pre-arrest bail to the Petitioner.

8. Heard the learned Counsel for the Petitioner, the learned Assistant Public Prosecutor and the learned Counsel for Respondent No.2. Perused the record.

9. Thoughtful consideration is bestowed on the arguments advanced by the learned Counsel for the Petitioner, the learned Assistant Public Prosecutor and the learned Counsel for Respondent No.2. I have perused the entire record.

POINT FOR CONSIDERATION:

10. In the light of the case of the prosecution and the contentions of the learned Counsel for the Petitioner, the learned Assistant Public Prosecutor and the learned Counsel for the Respondent No.2, now the point for consideration is:

"Whether the Petitioner/Accused No.2 is entitled for grant of pre-arrest bail?"

ANALYSIS:

11. On perusal of the record, the Petitioner without approaching the learned Session Judge at the first instance had sought pre-arrest bail and directly

approached this Court, which procedure is contrary to the law laid down by the Hon'ble Apex Court in **Mohammed Rasal.C v. State of Kerala**³ and **Jagdeo Prasad v. State of Bihar and others**⁴.

12. The Hon'ble Apex Court in **Mohammed Rasal. C supra** wherein at paragraph Nos.7, 8 and 9 it was held as follows:-

"7. The Sessions Judge exercises powers under Section 438 Cr.P.C in relation to all cases registered with the police stations in the particular District. This area-wise distribution of work would make it much more convenient and facilitate expeditious disposal, if the application for pre-arrest bail is first filed before the Sessions Court which would have a direct and first-hand assistance of the concerned Public Prosecutor appointed for that particular District. The Sessions Court would also have an immediate access to the Case Diary thereby facilitating a better appreciation of facts of the case.

8. We further feel that if the practice of entertaining the applications for pre-arrest bail directly in the High Court is encouraged, and the parties concerned are not relegated to first approach the Sessions Court concerned, the High Court would be flooded with a spate of pre-arrest bail applications thereby creating a chaotic situation. We say so, because if the parties are required to approach the Sessions Court concerned for seeking remedy of pre-arrest bail, there is a strong probability that significant number of applications would be allowed at that level only thereby acting as a filtration process before the process reaches the High Court.

9. It is trite that in most of the States, there is a consistent practice requiring the litigant concerned to first approach the Sessions Court for seeking relief of pre-arrest bail and only in the event of denial of such relief, the litigant would be granted access to approach the High Court for seeking such relief. This is, of course, subject to just exceptions and the High Court, for reasons to be recorded, may entertain an application for pre-arrest bail directly in special/ extraordinary circumstances."

13. The Hon'ble Apex Court in **Jagdeo Prasad supra** wherein at para No. 6 as under:

"6. However, before parting, we do wish to express our sincere concern with the haste at which the High Court has dealt with this matter. While the scheme of Criminal Procedure Code, 1973 (now Bharatiya Nagarik Suraksha Sanhita, 2023) provides concurrent jurisdiction to the High Court and Sessions Court for entertaining

³ Special Leave to Appeal (Crl) Nos. 6588 of 2025, dated 08.09.2025.

⁴ Crl. Appeal @ SLP (Crl) No. 17805 of 2024 etc.

applications for anticipatory bail, this Court has time and again observed that High Court should always encourage exhausting an alternative/concurrent remedy before directly interfering itself. This approach balances the interests of all the stakeholders, first by giving the aggrieved party a round of challenge before the High Court. Second, this approach provides the High Court an opportunity to assess the judicial perspective so applied by the Sessions Court, in concurrent jurisdiction, instead of independently applying its mind from the first go. Further, the High Court fails to record any reason for directly granting anticipatory bail without impleading the appellant-complainant as a party."

14. Albeit this Court has got concurrent jurisdiction under Section 482 of 'the BNSS.,' such discretionary relief would only be granted, when the Petitioner establishes a special case or extra ordinary circumstance.

15. The Hon'ble Supreme Court in **Gurbaksh Singh Sibbia v. State of Panjab**⁵, at paragraph Nos.34, 35, 36, 37, 38 & 39, lucidly expounded the contours and limitations of the extraordinary jurisdiction under Section 438 of 'the Cr.P.C.,' holding that anticipatory bail is a salutary safeguard devised to protect individual liberty against unwarranted arrest and not a blanket immunity against possible criminal accusations. The Court authoritatively underscored that the applicant must demonstrate a *bona fide* and objectively ascertainable "reason to believe" that he is likely to be arrested for a non-bailable offence, as a mere nebulous apprehension or speculative fear does not satisfy the statutory threshold. It was further held that the High Court or the Court of Session is duty-bound to independently evaluate the merits of the plea and cannot abdicate its judicial responsibility by relegating the matter to the Magistrate under Section 437 of 'the Cr.P.C.' The Hon'ble Apex Court also

⁵(1980) 2 SCC 565

clarified that the invocation of Section 438 of 'the Cr.P.C.,' is not contingent upon the prior registration of an FIR, provided the apprehension of arrest is founded upon reasonable grounds. Equally, the remedy remains available even after the lodging of an FIR, so long as the applicant has not yet been arrested. However, once arrest is effected, the very concept of anticipatory bail becomes legally incongruous and inoperative, compelling the accused to seek regular bail under the appropriate provisions of 'the Cr.P.C.' Thus, the Court delineated anticipatory bail as an exceptional protective remedy intended to secure personal liberty within carefully circumscribed parameters, rather than as a perpetual charter against arrest or criminal process.

16. The Hon'ble Supreme Court in **Sushila Aggarwal v. State (NCT of Delhi)**,⁶ at paragraph No.85 while reaffirming the principles enunciated in **Gurbaksh Singh Sibbia** *supra*, authoritatively delineated the governing parameters for the exercise of jurisdiction under Section 438 of 'the Cr.P.C.,' holding that an application for anticipatory bail must be founded upon a reasonable and tangible apprehension of arrest arising from concrete facts relatable to a specific offence and not upon vague, speculative, or generalized allegations. The Court observed that such an application should lucidly disclose the relevant facts, the nature of the accusation, the basis of the apprehended arrest, and the applicant's version of events, thereby enabling the Court to assess the gravity of the threat and the necessity of protective relief. It was further clarified that registration of an FIR is not a *sine qua non* for

⁶ (2020) 5 SCC 1

the invocation of Section 438 of 'the Cr.P.C.,' and in appropriate cases the Court may, as a measure of judicial prudence, issue notice to the prosecution and grant limited interim protection. The Hon'ble Apex Court emphatically held that anticipatory bail need not invariably be circumscribed by temporal limitations or made operative only up to the filing of an FIR, charge-sheet, or any particular stage of investigation; rather, the grant and scope of such relief must be determined upon a judicious evaluation of factors such as the nature and gravity of the accusation, the role attributed to the applicant, the likelihood of interference with investigation, tampering with evidence, influencing witnesses, or absconding from justice. While Courts are empowered to impose appropriate conditions under Sections 438(2) and 437(3) of 'the Cr.P.C.,' restrictive or special conditions ought not to be imposed as a matter of routine but only where the peculiar facts and circumstances of the case so warrant. The Court further held that anticipatory bail, once granted, may ordinarily continue till the culmination of trial, subject to the conduct of the accused, though such protection can never assume the character of a blanket or omnibus order insulating the accused from future or unrelated offences. At the same time, the grant of pre-arrest bail does not in any manner fetter or impede the statutory powers and obligations of the investigating agency to conduct a fair, comprehensive, and unhindered investigation in accordance with law.

17. In **P. Chidambaram v. CBI**⁷, the Hon'ble Supreme Court at paragraph Nos. 16, 17, 22, 23, 24 & 25 reiterated that while adjudicating an application for bail, the Court is obligated to record brief but cogent reasons reflecting due application of judicial mind, as such reasons enable the accused, the prosecution, and the appellate forum to appreciate the basis of the decision. At the same time, the Court cautioned that a bail proceeding is not a mini trial and, therefore, an elaborate examination of evidence or detailed findings on the merits of the prosecution case ought to be scrupulously avoided, lest they prejudice the parties during trial. The Hon'ble Apex Court further held that the grant or refusal of bail is fundamentally a matter of judicial discretion to be exercised on the peculiar facts and circumstances of each case and not in accordance with any rigid or inflexible formula. In assessing entitlement to bail, the Court must consider, inter alia, the existence of a *prima facie* case, the nature and gravity of the accusation, the severity of punishment upon conviction, the possibility of the accused absconding, the likelihood of tampering with evidence or influencing witnesses, the character and antecedents of the accused, and the broader interests of justice. Significantly, the Court underscored that considerations such as "flight risk" must be evaluated on an individualized basis and cannot be presumed merely on account of the conduct of other offenders, particularly where the cherished constitutional value of personal liberty is at stake. Thus, the governing principle remains that bail jurisdiction must be exercised judiciously, fairly, and on a

⁷ (2020) 13 SCC 337

careful balancing of competing interests, without either prejudging the merits of the case or undermining the administration of criminal justice.

18. In **P. Krishna Mohan Reddy v. State of A.P.**,⁸ the Hon'ble Supreme Court at paragraph Nos.27 & 53 observed that although allegations of political bias, *mala fides*, or vendetta may constitute a relevant factor while considering a plea for anticipatory bail, such considerations, by themselves, cannot outweigh other *prima facie* incriminating materials available on record. The Court emphasized that in cases involving rival political factions, an element of political rivalry or animosity may often be present; however, anticipatory bail cannot be granted solely on that basis unless the Court is satisfied that the prosecution is manifestly frivolous, baseless, and motivated entirely by political considerations. The Hon'ble Apex Court further clarified that while assessing the materials placed before it, the Court must independently evaluate whether a *prima facie* case is disclosed and cannot disregard substantive evidence merely on allegations of political vendetta. Additionally, the Court reiterated the settled evidentiary principle that a confessional statement made by an accused before the police is, by virtue of Sections 25 and 26 of the Indian Evidence Act, 1872 inherently inadmissible except in circumstances recognized by law. Consequently, no reliance can be placed upon such confessional statements, either at the stage of bail or during trial, for implicating the maker thereof or a co-accused, and the embargo on admissibility cannot be circumvented through recourse to Section 30 of the Indian Evidence Act, 1872. Thus, the Court

⁸2025 SCC OnLine SC 1157

underscored that both anticipatory bail adjudication and criminal prosecution must rest upon legally admissible and credible material, rather than on political allegations or inadmissible confessional evidence.

19. The Hon'ble Supreme Court in **State of Karnataka v. Sri Darshan**⁹, while comprehensively examining the settled principles governing the grant and cancellation of bail, reiterated that bail discretion must be exercised judiciously, upon due consideration of the nature and gravity of the offence, the material collected during investigation, and the interests of justice.

20. The injuries allegedly sustained by the victims are simple in nature. As per the complaint lodged by Respondent No.2, on 03.02.2026 at about 11:30 A.M., SFI leaders Sheikh Ali Akbar and Vinod Kumar were travelling near Lemon Tree Hotel when more than 20 persons travelling in three Innova vehicles obstructed them. It is alleged that the said persons claimed themselves to be men of the Petitioner, Manchu Vishnu and PRO Satish, assaulted the victims with hands and legs, abused them in filthy language and forcibly abducted them into the said vehicles. It is further alleged that they also took away the Royal Enfield motorcycle belonging to Sheikh Ali Akbar. The complaint further discloses that the incident occurred in the presence of Respondent No.2 and other student leaders, who chased the vehicles but could not rescue the victims. However, it is significant to note that there is no specific allegation in the complaint that the Petitioner was personally present at the scene of offence or that he directly assaulted, kidnapped or threatened

⁹2025 SCC OnLine SC 1702

the victims. The allegation against the Petitioner is only that the assailants claimed themselves to be men of the Petitioner, Manchu Vishnu and PRO Satish. Whether the said allegation is sufficient to establish the involvement of the Petitioner is a matter to be investigated and decided in the course of investigation and trial.

21. The Petitioner is aged about 78 years, a former Member of Parliament of the Rajya Sabha, a well-known film actor, and the founder of Sree Vidyanikethan Educational Institutions at Tirupati. So far, 17 witnesses have been examined, and a substantial portion of the investigation has been completed. The main accused, i.e., Accused No.1, has already been arrested and enlarged on bail. Except for ascertaining the role of Accused No.3 and completing the remaining investigation, the investigation stands practically concluded. The custodial interrogation of Accused No.1 and the Test Identification Parade concerning him have also been completed. Based on the complaint lodged by Respondent No.2, Crime No.23 of 2026 was registered on 03.02.2026 by the Station House Officer, Tiruchanur Urban Police Station. On the other hand, Accused No.1, in Crime No.24 of 2026, lodged a complaint against SFI leaders Sheikh Ali Akbar and Vinod Kumar alleging that they demanded huge sums of money to desist from making adverse statements against the educational institution run by the Petitioner. It was further alleged that they threatened that unless an amount of Rs.15,00,000/- was paid, they would severely damage the reputation of the Petitioner's educational institutions and stage a dharna by burning his effigy.

22. The learned Senior Counsel appearing for the learned Counsel for the Petitioner contends that Respondent No.2, in order to shield SFI leaders Sheikh Ali Akbar and Vinod Kumar from any legal action that may arise out of Crime No.24 of 2026, has falsely instituted the present case with the sole intention of tarnishing the Petitioner's reputation. It is submitted that this case involves exceptional circumstances warranting the exercise of the discretionary jurisdiction of this Court.

23. A learned Single Judge of this Court, in CrI.P.No.1891 of 2026 and batch, released Accused Nos.1, 4, 5, 12, 16, 17 and 20 on bail holding that the crucial part of the investigation had already been completed. The examination of the injured witnesses has also been completed. The identification of the accused and collection of the wound certificates have also been completed. There is no flight risk in respect of the Petitioner, who has deep roots in society, both in his family and in the community at large. The Petitioner is a permanent resident of Hyderabad, and he has got fixed abode. He is also a recipient of the prestigious Padma Shri Award and is running educational institutions at Tirupati. Therefore, if certain stringent conditions are imposed while granting pre-arrest bail, the ends of justice would be subserved. A direction to the Petitioner to cooperate with the Investigating Officer in the course of further investigation would sufficiently safeguard the interest of the prosecution.

24. It is important to note that a learned Single Judge of this Court on 09.04.2026 granted interim protection to the Petitioner that he should not be

arrested. However, it is submitted by the learned Counsels for both sides that the Petitioner had cooperated with the investigating officer in material particulars. From time to time the interim orders granted by this Court were extended in favour of the Petitioner.

25. After thoughtful consideration, it is observed that although the allegations are grave, there is no specific assertion that the Petitioner was personally present at the scene of offence or that he directly assaulted, kidnapped, or threatened the victims. The investigation is substantially completed, crucial witnesses have been examined, and the main accused have already been arrested and enlarged on bail. Considering these circumstances, this Court finds that custodial interrogation of the Petitioner is unnecessary, and that imposing stringent conditions while granting pre-arrest bail would sufficiently safeguard the interests of justice.

26. Having regard to the facts and circumstances of the case, the gravity and nature of the allegations leveled against the Petitioner/Accused No.2, this Court is inclined to grant pre-arrest bail to the Petitioner/Accused No.2, with some stringent conditions.

27. In the result, Criminal Petition is allowed with the following conditions:

- i. In the event of his arrest, the Petitioner/Accused No.2 shall be enlarged on bail subject to him executing a bond for a sum of Rs.2,00,000/- (Rupees TwoLakhs only) each with two sureties each for the like sum each to the satisfaction of the arresting police officials;

- ii. The Petitioner/Accused No.2 shall make himself available for investigation as and when required;
- iii. The Petitioner/Accused No.2 shall not indulge in any similar offences while on bail and during the pendency of the Trial.
- iv. The Petitioner/Accused No.2 shall appear before the Station House Officer concerned once in a week i.e., on every Saturday between 10.00 a.m. and 5.00 p.m., till filing of the charge sheet.
- v. The Petitioner/Accused No.2 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 Investigating Officer.
- vi. The Petitioner/Accused No.2 shall surrender his passport, if any, to the Investigating Officer. If he claims that he does not have passport, he shall submit an affidavit to that effect to the Investigating Officer.

SD/- Y.SRINIVASU
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Station House officer, Tiruchanur Police Station, Tirupathi District.
2. One CC to Sri Varun Byreddy, Advocate [OPUC]
3. One CC to Sri Madhava Rao Nalluri, Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court of A.P [OUT]
5. One spare copy

HIGH COURT

DR.YLR, J

DATED: 30.07.2026

BAIL ORDER

CRLP.No.1934 of 2026

ALLOWED

