



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

[3396]

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

PRESENT

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL PETITION NO: 3029/2026

Between:

1.P S GANESH KUMAR, S/O.P.SUKUMARAN, AGED ABOUT 35 YEARS,OCC SENIOR ASSISTANT WORKING ON DEPUTATION IN HONLDLE PRINCIPAL DISTRICT COURT, CHITTOOR R/O. D.NO. 19-560, NEHRU STREET, MITTOOR,CHITTOOR DISTRICT-517001

...PETITIONER/ACCUSED

AND

1.THE STATE OF ANDHRA PRADESH, REPRESENTED BY ITS PUBLIC PROSECUTOR, THROUGH ITS CHITTOOR I TOWN UPS, CHITTOOR DISTRICT,HIGH COURT OF ANDHRA PRADESH AT AMARAVATI.

...RESPONDENT/COMPLAINANT

Petition under Section 437/438/439/482 of Cr.P.C and 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to grant anticipatory bail to the petitioner in the event of his arrest in F.I.R. No.45 of 2026 on the file of Chittoor I Town U Police Station, Chittoor District and pass such

Counsel for the Petitioner/accused:

1.SHAIK MOHAMMED ISMAIL

Counsel for the Respondent/complainant:

1.PUBLIC PROSECUTOR

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA**CRIMINAL PETITION NO: 3029 of 2026****ORDER :**

The Criminal Petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity 'the BNSS') by the Petitioner/Accused, for granting of pre-arrest bail in connection with FIR No.45 of 2026 on the file of Chittoor I Town Urban Police Station, Chittoor District, registered for the alleged offences punishable under Sections 79, 201, 238, 351(3), 351(4), 336(3), 340(2) r/w 61(2) of Bharatiya Nyaya Sanhita, 2023 (for short "BNS").

2. Heard Sri Shaik Mohammed Ismail, learned counsel for the petitioner and Ms.K.Priyanka Lakshmi, learned Assistant Public Prosecutor representing for the State.

3. The case of the prosecution, in brief, is that on 21.03.2026 an anonymous/pseudonymous petition containing serious and defamatory allegations against the District Judiciary, the Principal District Judge, and other judicial officers/staff members was allegedly circulated to various authorities, and during enquiry it was found that the said petition had been sent through Registered Post from the Railway Post Office, Tirupathi; further, upon examination of CCTV footage, the involvement of the petitioner/Accused along with an unidentified person was allegedly noticed, as they were found travelling on a two-wheeler bearing Registration No. AP03 BY 0049, and it is

alleged that the accused, with an intention to defame the judicial officers, fraudulently created and circulated the anonymous/pseudonymous petitions as though they were genuine.

4. Learned counsel for the petitioner would submit that the petitioner is an employee working in the Judicial Department and has been discharging his duties with a clear service record. It is further contended that the case has been registered merely on the basis of CCTV footage and that the matter requires detailed investigation. Learned counsel would further submit that even according to the contents of the alleged anonymous/pseudonymous letter addressed to the office of the de-facto complainant, no ingredients constituting the offence of outraging the modesty of a woman are made out and, therefore, Section 79 of the BNS has no application to the facts of the case. It is also contended that the allegations in the letter only relate to certain issues concerning administration in the District, including transfers and alleged corruption. Learned counsel would further submit that all the offences alleged against the petitioner are punishable with imprisonment below seven years and that the petitioner is ready to furnish sureties to the satisfaction of the Court. Learned counsel finally prays to allow the petition.

5. Learned Assistant Public Prosecutor submits that notice has been served on the de facto complainant in the matter. It is submitted that the investigation is still in progress and, since the offences alleged are punishable with imprisonment below seven years, the police would follow the

procedure contemplated under Section 35(3) of the BNSS, as custodial interrogation of the petitioner is not required in the present matter.

6. Learned counsel for the petitioner would submit that in the light of the judgment of the Hon'ble Supreme Court in ***Arnesh Kumar v. State of Bihar***¹, which is reiterated in ***Satender Kumar Antil vs. CBI and another***², recording the submissions made by the learned Assistant Public Prosecutor, the petition may be disposed of.

7. Considering the submissions made and on perusal of the material placed on record before this Court, the Criminal Petition is disposed of.

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

DR.VENKATA JYOTHIRMAI PRATAPA, J

Date: 07.05.2026.
UPS

¹ (2014) 8 SCC 273

² 2026 INSC 115

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THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL PETITION NO: 3029 of 2026

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UPS