APHC010285932026

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

TUESDAY,THE SIXTEENTH DAY OF JUNE
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 4597/2026

Between:

1. RAKESH PRADHAN, S/O. KARTHIK PRADHAN,AGED ABOUT 31 YEARS, LABOURER,R/O POCHILUNDI VILLAGE,BISHNUCHAKRA POST, BALIPADA POLICE STATION,GANJAM DISTRICT, ODISHA STATE.
2. PRAMOD NAYAK, S/O. LATE JANATHAN NAYAK,AGED ABOUT 70 YEARS,R/O RABANIJU STREET, KONABAGERI VILLAGE,UNDER G. UDAYAGIRI POLICE STATIONKANDHAMAL DISTRICT, ODISHA STATE.

...PETITIONER/ACCUSED(S)

AND

THE STATE OF ANDHRA PRADESH, SHO, Tirupati Railway Police Station Tirupati, Rep. by Public Prosecutor, High Court of Andhra Pradesh, Amaravati.

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused(S):

BHOOMA MAHARSHI REDDY

Counsel for the Respondent/complainant:

PUBLIC PROSECUTOR

The Court made the following:

ORDER:

The Criminal Petition has been filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity 'the BNSS'), seeking to enlarge the Petitioners/Accused Nos.1 and 2 on bail in Crime No.17 of 2026 of Tirupati Police Station, GRP Guntakal District, registered against the Petitioners/Accused Nos.1 and 2 herein for the offences punishable under Section 8(c) read with 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity 'the NDPS Act').

2. Sri Bhooma Maharshi Reddy, the learned counsel for the petitioners, submits that the petitioners are innocent of the alleged offence and they have been falsely implicated by the police. It is further submitted that the petitioners are the sole earning members of the family and, therefore, their incarceration would cause undue hardship to their dependents. The petitioners undertake to strictly adhere to any conditions that may be imposed by this Court. In light of the foregoing submissions, learned counsel prays that the present petition be allowed in the interest of justice.

3. *Per contra*, Ms.P.Akhila Naidu, the learned Assistant Public Prosecutor vehemently opposed the grant of bail to the petitioners, submitting that the investigation is still underway and several material witnesses remain to be examined. It is contended that if the petitioners are released on bail at this stage, there is a strong likelihood that they may abscond, thereby hampering

the ongoing investigation and evading the process of law. In view of the foregoing submissions, it is urged that the petition be dismissed.

4. Heard the learned counsel for the petitioners and the learned Assistant Public Prosecutor. Perused the record.

5. As seen from the record, the petitioners/Accused Nos.1 and 2 were arrested on the spot while they were in illegal possession and transportation of 15.460 KGs of ganja. The seized contraband is not a commercial quantity. The petitioners were arrested on 21.03.2026 and, ever since, they have been in judicial custody for the past 87 days. So far, seven witnesses have been examined. They are all official witnesses. A material portion of the investigation has been completed. The petitioners are permanent residents of the State of Odisha. They have got fixed abode. The petitioners do not have similar antecedents. If the petitioners are enlarged on bail with some stringent conditions, they may not evade the process of law, tamper with the evidence, or threaten the witnesses.

6. Considering the facts and circumstances of the case, the nature and gravity of allegations levelled against the Petitioners/Accused Nos.1 and 2, this Court is inclined to enlarge the Petitioners/Accused Nos.1 and 2 on bail with some stringent conditions.

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

i. The Petitioners/Accused Nos.1 and 2 shall be enlarged on bail subject to their executing a bond for a sum of Rs.50,000/-

(Rupees Fifty Thousand only) each with two sureties each for the like sum each to the satisfaction of the learned Special Judicial Magistrate of First Class, Railways, Nellore.

ii. The Petitioners/Accused Nos.1 and 2 shall appear before the Station House Officer concerned, on every Saturday in between 10:00 am and 05:00 pm, till filing of the charge sheet.

iii. The Petitioners/Accused Nos.1 and 2 shall not leave the limits of the District without prior permission from the Station House Officer concerned.

iv. The Petitioners/Accused Nos.1 and 2 shall not commit or indulge in commission of any offence in future.

v. The Petitioners/Accused Nos.1 and 2 shall cooperate with the investigating officer in further investigation of the case and shall make themselves available for interrogation by the Investigating Officer as and when required.

vi. The Petitioners/Accused Nos.1 and 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 Court.

DR. Y. LAKSHMANA RAO, J

Date: 16.06.2026
RSI

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 4597 of 2026

Date: 16.06.2026
RSI