APHC010409002026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI

MONDAY, THE 17th DAY OF AUGUST 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 6721 OF 2026

Between:

Mohammad Haneef, S/o Ibrahim, Aged 49years, R/o. D.No. 3-55, Darkhas House, Kavalamudur Village, Kavalakatte Post, Bantwala Taluk, Dhakshina Kannada, Karnataka.

...Petitioner/Accused No.4

AND

The State of Andhra Pradesh, rep by its Public Prosecutor, High Court of Andhra Pradesh at Amaravati.

...Respondent

Petition under Section 482 of BNSS is filed praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court pleased to direct the Station House Officer, RSASTF Police Station, Tirupati District to release the petitioner/Accused on bail in the event of his arrest in connection with No. 34 of 2025 of RSASTF Police Station, Tirupati District;

The Petition coming on for hearing, upon perusing the Petition and the memorandum of grounds of criminal petition and upon hearing the arguments of Sri D.Purnachandra Reddy, Counsel for the Petitioner and Public Prosecutor for the Respondent, the Court made the following;

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 No.4 for granting of pre-arrest bail in connection with

Crime No.34 of 2025 of RSASTF Police Station, Tirupati District, was registered for the alleged offences punishable under Sections 302(2) read with 3(5), 49, 61(2) of the Bharatiya Nyaya Sanhita, 2023 (for brevity 'the BNS') Section 20(1)(d)(i)(a) read with 20(1)(c)(ii) read with 20(1)(c)(ii) read with 20(1)(c)(iv) read with 20(1)(c)(x), 36(a) read with 32(A), 29(4)(a)(i)(a) of the Andhra Pradesh Forest Act, 1967 (for brevity 'the APF Act').

2. Mr.D. Purna Chadra Reddy, the learned Counsel for the Petitioner, submits that the Petitioner is innocent of the alleged offence and has been falsely implicated by the Police. The Petitioner undertakes to strictly adhere to any conditions that may be imposed by this Court. Hence, it is urged to allow the Criminal Petition.

3. *Per contra*, Mr.A.Sai Rohith, the learned Assistant Public Prosecutor, vehemently opposed the grant of anticipatory bail to the Petitioner, submitting that the investigation is still at a nascent stage and several material witnesses remain to be examined. It is further urged that if the Petitioner is granted anticipatory bail, there is a strong likelihood of his absconding and evading the process of law. Hence, it is urged to dismiss the Criminal Petition.

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

5. On perusal of the record, it appears that the Petitioner is arraigned as Accused No.4 and is the owner of the lorry bearing No.KA 70 3878. Accused No.2 is the driver of the said lorry. The lorry was hired to one Sasank Maya,

who has not been shown as an accused as of now. Accused No.3, by name Subramanyam, is stated to be the main smuggler. The role of the Petitioner came to light based on the confessions of Accused Nos.1 and 2. Accused Nos.1 and 2 themselves revealed that Accused No.4 had no knowledge that his vehicle was being used for transportation of nine red sanders wood logs weighing about 153 Kgs. The name of the Petitioner is not found in the FIR. Of course, the FIR is neither exhaustive nor an encyclopedia of the entire facts and circumstances of the prosecution case. It is submitted by the learned Counsel for the Petitioner that the vehicle was kept for about two days at the Forest Office, Giddalur, and thereafter, it was taken to the Task Force Office, Tirupati, and a false case was foisted against the Petitioner.

6. Having regard to the facts and circumstances of the case, the gravity and nature of the allegations leveled against the Petitioner/Accused No.4, this Court is inclined to grant pre-arrest bail to the Petitioner/Accused No.4, with some stringent conditions.

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

i. In the event of his arrest, the Petitioner/Accused No.4 shall be enlarged on bail subject to he executing a bond for a sum of Rs.50,000/- (Rupees Fifty Five Thousand only) with two sureties each for the like sum each to the satisfaction of the arresting police officials;

ii. The Petitioner/Accused No.4 shall make himself available for investigation as and when required;

iii. The Petitioner/Accused No.4 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.

iv. The Petitioner/Accused No.4 shall not leave the limits of the Andhra Pradesh without the express permission from the Station House Officer concerned.

v. The Petitioner/Accused No.4 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.

vi. The Petitioner/Accused No.4 shall surrender his passport, if any, to the Investigating Officer. If he claims that he does not have passport, he shall submit affidavit to that effect to the Investigating Officer.

SD/-M.SRINIVAS
DEPUTY REGISTRAR

SECTION OFFICER

//TRUE COPY//

To,

1. The Station House Officer, RSASTF Police Station, Tirupati District
2. One CC to Sri. D.Purnachandra Reddy, Advocate [OPUC]
3. Two CCs to Public Prosecutor, High Court of AP [OUT]
4. One spare copy

HIGH COURT

Dr.YLR,J

DATED:17/08/2026

ORDER

CRLP NO. 6721 OF 2026

ALLOWED

