APHC010464022026

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

MONDAY, THE 21st DAY OF SEPTEMBER 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 7754/2026

Between:

1. JANARDHAN PRADHAN, S/O TRINADH PRADHAN, AGED ABOUT 42 YEARS, OCC BUSINESS,R/O BRAHMAPUR VILLAGE AND MANDAL,GANJAM DISTRICT, ODISHA STATE. 760001

...PETITIONER/ACCUSED

AND

1. THE STATE OF ANDHRA PRADESH, Rep. by its Public Prosecutor,High Court of Andhra Pradesh at Amaravati,Through the Station House Officer,Jeelugumilli Police Station, Eluru District.

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused:

1. AMARAVATI LAW CHAMBERS

Counsel for the Respondent/complainant:

1. 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 Petitioner/Accused No.2 on bail in Crime No.34 of 2026 of Jeelugumilli Police Station, Eluru District, registered for the alleged offences

punishable under Sections 8(c) read with 20(b)(ii)(C), 29(1) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity 'the NDPS Act').

2. Sri P.T.Reddy, learned Counsel for the Petitioner/Accused No.2, submits that the Petitioner has been falsely implicated and that the prosecution case is primarily founded on alleged confessional statements before police, which are inadmissible in evidence. He submits that the mediators' report discloses suspicious circumstances, as the mediators were allegedly secured by the police and no independent witnesses were examined despite the seizure having taken place on a public highway. Learned counsel further raises doubts regarding compliance with the mandatory provisions of 'the NDPS Act.,' relating to search, seizure, sampling, sealing and custody of the contraband. It is also argued that the Petitioner, a permanent resident of Ganjam District, Odisha State with deep social roots, is not likely to abscond, the investigation is substantially complete, and no further custodial interrogation is required. Petitioner was in judicial custody since 05.03.2026. 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 bail to the Petitioner, submitting that the investigation is still underway and several material witnesses remain to be examined. It is contended that if the Petitioner is released on bail at this stage, there is a strong likelihood that he may abscond, thereby hampering the

ongoing investigation and evading the process of law and urged to dismiss the Petition.

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

5. Upon careful consideration of the material available on record, it is evident that the present application constitutes the second petition seeking enlargement on bail. It is pertinent to note that this Court, by order dated 24.06.2026 passed in Crl.P.No.4723 of 2026, had dismissed the earlier bail application as withdrawn. The record further reveals that the Petitioner was arrested on 05.03.2026 and has remained in judicial custody for nearly 200 days. Significantly, notwithstanding the lapse of the prescribed statutory period, the Investigating Officer has yet to file the charge sheet.

6. This Court is of the considered view that the prolonged incarceration of the Petitioner coupled with the non-filing of the charge sheet constitutes a substantial and material change in circumstances subsequent to the withdrawal of the earlier bail application, thereby warranting fresh consideration of the present bail petition on its own merits.

7. Having regard to the facts and circumstances of the case, the nature and gravity of allegations levelled against the Petitioner/Accused No.2, this Court is inclined to enlarge the Petitioner/Accused No.2 on bail with some stringent conditions.

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

i. The Petitioner/Accused No.2 shall be enlarged on bail subject to him executing a bond for a sum of Rs.5,00,000/- (Rupees Five Lakhs only) with two sureties for the like sum each to the satisfaction of the learned Judicial First Class Magistrate (Junior Division), Jangareddigudem.

ii. The Petitioner/Accused No.2 and his sureties shall furnish their permanent residential address details and identity particulars to the concerned police and keep the police informed about the change in address, if any, time to time.

iii. The Petitioner/Accused No.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.

iv. The Petitioner/Accused No.2 shall not leave the limits of the State of Andhra Pradesh without prior permission from the Station House Officer concerned.

v. The Petitioner/Accused No.2 shall not commit or indulge in commission of any offence in future.

vi. The Petitioner/Accused No.2 shall cooperate with the Investigating Officer in further investigation of the case and shall make himself available for interrogation by the Investigating Officer as and when required.

vii. 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 Court.

viii. 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 before the Investigating Officer.

DR. Y. LAKSHMANA RAO, J

Date: 21.09.2026
VTS