IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

TUESDAY, THE TWENTY FIFTH DAY OF FEBRUARY

TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY

CRIMINAL PETITION NO: 1596 OF 2025

Between:

Kollam Rajani Kanth Reddy, S/o Thirumala Reddy, Aged 49 years, Occ: Agriculture coolie, R/o Mallemvaripalli Village, Vanthuluru,YSR Kadapa District.

Petitioner/A3

AND

The State of A.P, Rep by its Public Prosecutor, High Court of A.P at Amaravati, Nelapadu, Guntur District

Respondent

Petition under Sections 480 & 483 of BNSS (Old Sections 437 & 439 of Cr.P.C), praying that in the circumstances stated in the affidavit filed in support of the Criminal Petition, the High Court may be pleased to release the petitioner on bail in connection with RSS PRC.No. 195 of 2023 on the file of the Judicial Magistrate of First Class cum Special Court for Trial of cases relating to Red Sanders Smuggling, Tirupati. arising out of Cri.No.85 of 2018 on the file of the Pullampeta PS.

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of Sri B S REDDY, Advocate for the Petitioner and of PUBLIC PROSECUTOR for the Respondent and the Court made the following:

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY

CRIMINAL PETITION NO: 1596 OF 2025

ORDER:

This Criminal Petition, u/Sec.480 & 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, has been filed by the petitioner/A3, seeking bail in P.R.C.No.195/2023 on the file of the Judicial Magistrate of First Class cum Special Court of trial of cases relating to Red Sanders Smuggling, Tirupati (Crime No.85/2018 of Pullampeta police station).

2. The petitioner is accused no.3 in P.R.C.No.195/2023 on the file of the Judicial Magistrate of First Class cum Special Court for trial of Cases relating to Red Sanders Smuggling, Tirupati (Crime No.85/2018 of Pullampeta police station).

3. Case of the prosecution, in brief, is that a case has been registered against the petitioner and others in the above said crime and after completion of investigation, police laid charge sheet and it was numbered as P.R.C.No.195/2023 and as the petitioner did not attend the Court during the time of committal, the concerned Court issued non-bailable warrant against the petitioner. Thereafter, the petitioner filed an application on 06.01.2025 for recall of NBW issued against him and the same was dismissed, and the petitioner was committed to judicial remand. After that, the petitioner filed Crl.M.P.No.290/2025 before the

Additional District & Sessions Judge for trial of Red Sanders Smuggling Cases, Tirupati and the same was dismissed on 05.02.2025 on the ground that different versions have been attributed by the petitioner herein in his petition. One of the grounds that has been taken is that he went to Kuwait for working there.

4. Learned Assistant Public Prosecutor opposed the bail application on the ground that if bail is granted, there is every chance of his fleeing away to Kuwait, and prays to dismiss the petition.

5. In pursuance to the execution of the non-bailable warrant, the petitioner was arrested on 06.01.2025 and since then he is in judicial custody i.e. for more than 45 days.

6. In view of the aforesaid facts and circumstances of the case, this Court is inclined to grant bail to the petitioner herein, on the following conditions.

(i) The petitioner/A3 herein shall be released on his executing a personal bond for Rs.10,000/- (Rupees ten thousand only) with two sureties for a like sum each to the satisfaction of the Judicial Magistrate of First Class-cum-Special Court for trial of cases relating to Red Sanders Smuggling, Tirupathi;

(ii) On release, the petitioner shall appear before the Station House Officer concerned once in a week i.e. on every Sunday between 10.00 a.m. and 05.00 p.m., till completion of trial;

(iii) The petitioner shall surrender his passport before the Court concerned.

7. Accordingly, the Criminal Petition is allowed.

Sd/- V. SAVITRI GOWRI
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Judicial Magistrate of First Class cum Special Court for Trial of cases relating to Red Sanders Smuggling, Tirupati
2. The Superintendent, Sub Jail, Tirupati
3. The S.H.O., Pullampeta Police Station, Tirupati
4. One CC to SRI. B S REDDY Advocate [OPUC]
5. Two CCs to Public Prosecutor, High Court of AP [OUT]
6. One spare copy

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HIGH COURT

SRK,J

DATED:25/02/2025

BAIL ORDER

CRLP.No.1596 of 2025

ALLOWED

