APHC010451992026

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

TUESDAY, THE 10th DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 7516/2026

Between:

THEDLA CHANDU BABU, S/O NADIPAYYA, AGED ABOUT 31 YEARS, RESIDENT OFKONGAPAKALA VILLAGE, DARAKONDA PANCHAYAT, G.K. VEEDHI MANDAL, ALLURISITHARAMA RAJU DISTRICT, AND ALSO OF BALAJI NAGAR, KANCHARAPALEM,VISAKHAPATNAM CITY.

...PETITIONER/ACCUSED

AND

THE STATE OF ANDHRA PRADESH, REPRESENTED BY THE STATION HOUSE OFFICER,ANNAVARAM POLICE STATION, KAKINADA DISTRICT, REPRESENTED BY THE LEARNEDPUBLIC PROSECUTOR, HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused:

DUGGIRALA SUBASH

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 Petitioner/Accused No.3 on bail in Crime No.157 of 2026 of Annavaram Police Station, Kakinada District, registered against the Petitioner/Accused No.3 herein for the offences punishable under Sections 20(b)(ii)(C) read with 8(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity 'the NDPS Act').

2. Mr. Duggirala Subhash, the learned counsel for the petitioner, submits that the petitioner is innocent of the alleged offence and has been falsely implicated in the alleged offence. He is the sole earning member of the family. He has not committed any offence. He is a law-abiding citizen. He has got fixed abode. The petitioner undertakes to abide by any conditions that this Court may impose while granting bail to the petitioner. Hence, it is urged to allow the petition.

3. *Per contra*, Mr.A.Sai Rohit, learned Assistant Public Prosecutor, vehemently opposed the grant of bail to the petitioner and submitted that so far, only six witnesses have been examined and the petitioner has not completed the statutory period. Hence, he urged that the Criminal Petition

be dismissed, as the investigation is still pending and some more crucial witnesses are yet to be examined.

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

5. As seen from the record, the petitioner is arraigned as Accused No.3. So far, only six witnesses have been examined, and the investigation is still pending. The petitioner was arrested on 12.06.2026 and has been in judicial custody for the past 151 days only. The learned counsel for the petitioner submits that no adverse antecedents are reported against the petitioner. The learned Assistant Public Prosecutor submits that one adverse antecedent is reported against the petitioner in Cr.No.62 of 2021 under the provisions of 'the NDPS Act'. The petitioner was arrested at the spot. The allegation against the petitioner is that he acted as the driver of the car in which 102 kgs of ganja was allegedly being transported illegally.

6. Further, statutory period of judicial remand for 180 days is also not completed. In this connection, it is relevant to refer the following decisions of the Hon'ble Apex Court.

7. In ***Union of India v. Ram Samujh***[1]***,*** the Hon'ble Supreme Court at Paragraph No.7 observed that narcotic offences have a grave and far-reaching impact on society, destroying numerous lives. The Court further

[1] *(1999) 9 SCC 429*

held that drug traffickers pose a continuing threat to society and, therefore, the statutory restrictions must be strictly enforced.

8. In ***Durand Didier v. State (UT of Goa)[2],*** the Hon'ble Apex Court at Paragraph No.24, observed that illicit trafficking of narcotic drugs has become a serious social menace, particularly affecting the youth. The Court further noted that, in view of its devastating impact on society, Parliament enacted stringent provisions under 'the NDPS Act' to effectively combat the menace.

9. The Hon'ble Apex Court in ***State of Kerala v. Rajesh[3],*** at Paragraph Nos.8, 19, 20 and 21, held that bail under 'the NDPS Act' can be granted only upon strict compliance with the mandatory conditions prescribed under Section 37. The Court further observed that "reasonable grounds" require substantial material showing that the accused is not guilty, and recording such a finding is a sine qua non for grant of bail.

10. Considering the entire facts and circumstances of the case and in view of the law laid down by the Hon'ble Apex Court in ***Ram Samujh, Durand Didier*** and ***Rajesh,*** the request of the petitioner cannot be considered at this juncture. The petitioner is alleged to have been involved in the commission of the offence. This Court is not satisfied that there are reasonable grounds for believing that the petitioner is not guilty of the alleged offence or that he is unlikely to commit any offence while on bail.

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[2] *(1990) 1 SCC 95*
[3] *(2020) 12 SCC 122*

Therefore, there are no merits in the present case warranting grant of bail to the petitioner. Hence, this Criminal Petition is liable to be dismissed.

11. In the result, the Criminal Petition is dismissed.

As a sequel, Miscellaneous petitions, if any pending, shall stand closed.

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DR. Y. LAKSHMANA RAO, J

Date: 10.11.2026
RSI

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THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 7516 of 2026

Date: 10.11.2026
RSI