APHC010460382026

IN THE HIGH COURT OF ANDHRA PRADESH

AT AMARAVATI

FRIDAY, THE 9th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 7680 OF 2026

Between:

1. Tale Katesh Rap alias Kotibabu, S/o Late Bajjaya, Age 22 years, R/o Anibirda Paparmetla,Chitrakonda Mandal, Malkangiri District, Odisha state
2. Padiami Bachel, S/o Balanna PadaimiAge 46 years, R/o Kancharapitta Village, Rollagedda Panchayat, Chitrakonda Mandal, Odisha State

...Petitioners/Accused No.4&5

AND

The State of Andhra Pradesh, through Station House Officer, Koyyuru Police Station, Visakhapatnam, Rep. by Public Prosecutor, High Court at Amaravati.

...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 Petitioners/Accused No. 4 & 5 on bail in connection with Crime No. 26 of 2026 of Koyyuru Police Station, Visakhapatnam.

The petition coming on for hearing, upon perusing the Petition and the memorandum of grounds filed in support thereof and the arguments of Sri RAMINENI SUDHEER, Advocate for the Petitioners and of Public Prosecutor for the Respondent, the Court made the following;

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.4&5 on bail in Crime No.26 of 2026 of Koyyuru Police Station, Alluri Sitharama Raju District, registered for the alleged offences punishable under Sections 20(b)(ii)(C), 25 read with 8(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity 'the NDPS Act').

2. Mr.Ramineni Sudheer, the learned Counsel for the Petitioners submits that the Petitioners are innocent of the alleged offence. 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. They are law-abiding citizens. The Petitioners undertake to strictly adhere to any conditions that may be imposed by this Court. Hence, it is urged to allow the Petition.

3. *Per contra*, Mr.A.Sai Rohith, 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 and urged to dismiss the Petition.

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

5. On perusal of the record, the petitioners are arraigned as Accused Nos.4 & 5. The petitioners were arrested on 11.04.2026 and have been in judicial custody for the past 181 days. The petitioners are alleged to have been involved in dealing with 69.600 kgs. of Ganja. Substantial part of the investigation with regard to the alleged role attributed to the petitioners has been completed. However, the charge sheet has not yet been filed, even after expiry of the statutory period of 180 days. The prosecution has not filed any application seeking extension of the period of remand of the petitioners. There are no adverse antecedents reported against the petitioners.

6. The petitioners are the permanent resident of the State of Odisha and have got fixed abode. If the petitioners are enlarged on bail subject to stringent conditions, there is no likelihood of their absconding, threatening the witnesses, tampering with the evidence or hampering the further course of investigation.

7. Having regard to the facts and circumstances of the case, the nature and gravity of the allegations levelled against the petitioners, the period of incarceration undergone by them and the stage of investigation, this Court is inclined to enlarge the Petitioners/Accused Nos.4 & 5 on bail, subject to certain stringent conditions.

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

i. The Petitioners/Accused Nos.4 & 5 shall be enlarged on bail subject to their executing a bond for a sum of Rs.5,00,000/- (Rupees Five Lakhs only) each with two sureties each for the like sum each to the satisfaction of the learned Judicial First Class Magistrate at Chintapalli, at Visakhapatnam.

ii. The Petitioners/Accused Nos.4 & 5 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.4 & 5 shall not leave the limits of the District without prior permission from the Station House Officer concerned.

iv. The Petitioners/Accused Nos.4 & 5 shall not commit or indulge in commission of any offence while on bail.

v. The Petitioners/Accused Nos.4 & 5 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.4 & 5 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.

vii. The Petitioners/Accused Nos.4 & 5 shall surrender their passports, if any, to the Investigating Officer. If they claim that they do not have passports, they shall submit affidavits to that effect to the Investigating Officer.

SD/- N.SRINIVASA RAO
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Judicial First Class Magistrate at Chintapalli at Visakhapatnam
2. The I Additional District & Sessions Judge-Special Judge for Trial of Offences under NDPS Act: Visakhapatnam
3. The Superintendent, Central Jail, Visakhapatnam
4. The Station House Officer, Koyyuru Police Station, Visakhapatnam
5. One CC to SRI. RAMINENI SUDHEER Advocate [OPUC]
6. Two CCs to Public Prosecutor, High Court of AP [OUT]
7. One spare copy

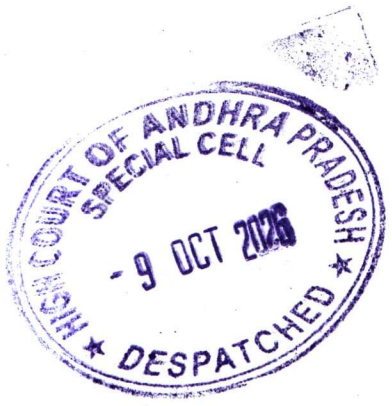
HIGH COURT

DR.YLR,J

DATED:09/10/2026

BAIL ORDER

CRLP NO. 7680 OF 2026



ALLOWED