APHC010469612026

IN THE HIGH COURT OF ANDHRA PRADESH

AT AMARAVATI

TUESDAY, THE 13th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 7887 OF 2026

Between:

1. Suresh Baliram Dayal, S/o. Baliram Dayal, Aged 37 years, Occ: Auto Driver, R/o Swami Samarth Nagar, Upper Area, Bibwewadi Tehsil, Pune City, State of Maharashtra.
2. Deepali Suresh Dayal, D/o. Suresh Baliram Dayal, Aged 27 years, Occ: Labourer, R/o Swami Samarth Nagar, Upper Area, Bibwewadi Tehsil, Pune City, State of Maharashtra.

...Petitioners

AND

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

...Respondent

Petition under Section 480 and 483 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to release the Petitioners/Accused No. 1 & 2 in Crime No. 81 of 2026, on the file of the V. Madugula Police Station

The Petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri. DASARI RAMAKOTESWAR RAO Counsel for the Petitioners, PUBLIC PROSECUTOR Counsel for the Respondent and the Court made the following.

ORDER:

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.1 & 2 on bail in Crime No.81 of 2026 of V.Madugula Police Station, Anakapalli District, registered for the alleged offences punishable under Sections 20(b)(ii)(B) read with 8(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity 'the NDPS Act').

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

3. Mr. Dasari Ramakoteswara Rao, 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 while enlarging them on bail. Hence, it is urged to allow the Criminal Petition.

4. *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 Criminal Petition.

5. On perusal of the record, the Petitioners are arraigned as Accused Nos.1 and 2 in this case. The Petitioners were arrested on 28.08.2026. They have been in judicial custody for the past 46 days. The prosecution alleges that the Petitioners were indulged in dealing with 5 kgs. of ganja.

6. With regard to the allegations against Petitioner No.1/Accused No.1, the investigation is not yet completed. Therefore, this Court is not inclined to enlarge Petitioner No.1/Accused No.1 on bail at this stage. Hence, the Criminal Petition, insofar as Petitioner No.1/Accused No.1 is concerned, is dismissed.

7. The Petitioner No.2/Accused No.2 is four to five months pregnant, and the learned counsel for the Petitioners submits that she is experiencing difficulties in jail. The Petitioner No.2 is a permanent resident of State of Maharashtra. She has got fixed abode. If the Petitioner No.2 is enlarged on bail subject to stringent conditions, there is no likelihood of her absconding, threatening the witnesses, tampering with the evidence or hampering the further course of investigation.

8. Having regard to the facts and circumstances of the case and the nature and gravity of the allegations levelled against Petitioner No.2/Accused No.2, this Court is inclined to enlarge Petitioner No.2/Accused No.2 on bail, subject to certain stringent conditions. Hence, the Criminal Petition, insofar as Petitioner No.2/Accused No.2 is concerned, is allowed.

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

> i. The Petitioner No.2/Accused No.2 shall be enlarged on bail subject to her executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties for the like sum each to the satisfaction of the learned I Additional District and Sessions Judge-Special Judge for Trial of Offences under NDPS Act, Visakhapatnam.
> ii. The Petitioner No.2/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.
> iii. The Petitioner No.2/Accused No.2 shall not leave the limits of the State of Andhra Pradesh without prior permission from the Station House Officer concerned.
> iv. The Petitioner No.2/Accused No.2 shall not commit or indulge in commission of any offence in future.
> v. The Petitioner No.2/Accused No.2 shall cooperate with the Investigating Officer in further investigation of the case and shall make herself available for interrogation by the Investigating Officer as and when required.
> vi. The Petitioner No.2/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.

vii. The Petitioner No.2/Accused No.2 shall surrender her passport, if any, to the Investigating Officer. If she claims that she does not have passport, she shall submit affidavit to that effect to the Investigating Officer.

SD/- Y.SRINIVASU
ASSISTANT REGISTRAR

SECTION OFFICER

//TRUE COPY//

To,

1. The Judicial First-Class Magistrate at V. Madugula.
2. The Station House Officer, V. Madugula Police Station, Anakapalli District
3. The Superintendent, Central Prison, Visakhapatnam, Visakhapatnam District
4. One CC to SRI. DASARI RAMAKOTESWAR RAO Advocate [OPUC]
5. Two CCs to PUBLIC PROSECUTOR High of AP, Amaravathi [OPUC]
6. One spare copy .

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HIGH COURT

DR.YLR,J

DATED:13/10/2026

ORDER

CRLP NO. 7887 OF 2026

ALLOWED

