APHC010481952026

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

WEDNESDAY, THE 28th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 8122/2026

Between:

PANDILLAPALLI SIVA KUMAR, S/O. NARASAIAH,AGED ABOUT 42 YEARS,C/NAI BRAHMIN, MOJEMPETA MAIN ROAD,VTC, CHITVEL, YSR KADAPA DISTRICT.

...PETITIONER/ACCUSED

AND

THE STATE OF ANDHRA PRADESH, Represented by the Station House Officer,Gandepalli Police Station, Kakinada District,Represented by the learned Public Prosecutor,High Court of Andhra Pradesh, Amaravati

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused:

KAKUMANU JOJI AMRUTHA RAJU

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.137 of 2025 of Gandepalli Police Station, Kakinada District, registered for the alleged offences punishable under Sections 8(c) read with 20(b)(ii)(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity 'the NDPS Act').

2. Mr.Kakumanu Joji Amrutha Raju, the learned Counsel for the Petitioner submits that the Petitioner is innocent of the alleged offence. He has been falsely implicated by the police. It is further submitted that the Petitioner is the sole earning member of the family and, therefore, his incarceration would cause undue hardship to his dependents. He is a law-abiding citizen. The Petitioner undertakes 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 petitioner and submitted that, though the charge sheet has already been filed, the accusations against

the petitioner are well founded. Hence, he prayed that the Criminal Petition be dismissed.

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

5. On perusal of the record, this is the fourth bail application filed by the petitioner. This Court dismissed the first and third bail applications in Crl.P.Nos.544 and 5017 of 2026 on 04.02.2026 and 07.07.2026, respectively. The second bail application filed by the petitioner was withdrawn by him. The petitioner was arrested on 16.06.2025 and has been in judicial custody for the past 499 days. The allegation against the petitioner is that he indulged in dealing with 110.640 kgs of ganja, which is not only a commercial quantity but also a colossal quantity. After completion of the investigation, the charge sheet has been filed. No remand extension petition has been filed seeking his custody beyond 180 days. There are no adverse antecedents reported against the petitioner. The learned counsel for the petitioner submits that Accused No.2 has been released on bail by this Court in Crl.P.No.9299 of 2026, *vide* order dated 23.10.2026, and that the present petitioner is also standing on a similar footing. The petitioner is a permanent resident of YSR Kadapa District and has got fixed abode.

6. Having regard to the facts and circumstances of the case, the nature and gravity of the allegations levelled against the petitioner, and the period

of incarceration undergone by him, this Court is inclined to enlarge the Petitioner/Accused No.3 on bail, subject to certain stringent conditions.

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

i. The Petitioner/Accused No.3 shall be enlarged on bail subject to his executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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, Rajamahendravaram.

ii. The Petitioner/Accused No.3 shall appear before the learned Trial Court on each and every adjournment without fail.

iii. The Petitioner/Accused No.3 shall not leave the limits of the State of Andhra Pradesh without prior permission from the learned Trial Court concerned.

iv. The Petitioner/Accused No.3 shall not commit or indulge in commission of any offence while on bail.

v. The Petitioner/Accused No.3 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.

vi. The Petitioner/Accused No.3 shall surrender his passport, if any, to the Investigating Officer. If he claims that he does not have passport, he shall submit affidavit to that effect to the Investigating Officer.

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DR. Y. LAKSHMANA RAO, J

Date: 28.10.2026
RSI

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