APHC010489152026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI

THURSDAY, THE 8th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 8235 OF 2026

Between:

Kakarla Prasad, S/o. Kakarla Nageswara Rao, Aged 34 years, Occ Agriculture/Shepherd, R/o 4-101, Main Bazar, J Pullala Cheruvu Village, Racherla Mandal, Markapur District-523368, Andhra Pradesh State.

...Petitioner/Accused No.5

AND

The State of Andhra Pradesh, Rep. by Public Prosecutor, High Court of Andhra Pradesh At Amaravati, through Forest Range Officer, Gundlakamma Range, Deputy Director Project Tiger, Giddalur Division of NSTR, Markapur District.

...Respondent/Complainant

Petition under Sections 480 & 483 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to enlarge the petitioner/accused No.5 on bail in DOR No 5/2026-27 dated 04-08-2026 on the file of forest range officer, Gundlakamma Range, Giddalur, Markapur District, pending trial.

The Petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of SRI D KASIM SAHEB Counsel for the Petitioner, 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 Petitioner/Accused No.5 on bail in DOR.No.05/2026-27,

Gundlakamma Forest Range, Giddalur, Markapur District, registered for the alleged offences punishable under Sections 2(1), 2(16), 2(32), 2(35), 2(37), 39, 44, 48A, 49, 50, 51(1), 51(1-A), 52 and 57 of Wildlife (Protection) Act, 1972 and Section 20(1)(c), Clauses (ii), (iii), (viii) and (x) of the Andhra Pradesh Forest Act, 1967 and Section 3(5), 61(2), 238 and 303(2) of the Bharatiya Nyaya Sanhita, 2023 (for brevity 'the BNS).

2. Mr. D. Kasim Saheb, 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, submitting that the investigation is still underway and several material witnesses remain to be examined. It is contended that if the Petitioner is released on bail at this stage, there is a strong likelihood that he 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 Petitioner and the learned Assistant Public Prosecutor. Perused the record.

5. As seen from the record, the Petitioner is arraigned as Accused No.5 in this case. The Petitioner was arrested on 04.08.2026 and has been in judicial custody for the past 65 days. The allegation against the Petitioner is that he accompanied the other accused with a bullock cart, on which the carcass of the tiger was carried away. So far, seven witnesses have been examined. A substantial portion of the investigation with respect to the alleged role played by the Petitioner is completed. The alleged offences are punishable with imprisonment of less than seven years.

6. Having regard to the facts and circumstances of the case, the nature and gravity of the allegations levelled against the Petitioner, this Court is inclined to enlarge the Petitioner 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.5 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 Judicial Magistrate of First Class, Giddalur, Prakasam District.

ii. The Petitioner/Accused No.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 Petitioner/Accused No.5 shall not leave the limits of the State of Andhra Pradesh without prior permission from the Station House Officer concerned.

iv. The Petitioner/Accused No.5 shall not commit or indulge in commission of any offence while on bail.

v. The Petitioner/Accused No.5 shall cooperate with the Investigating Officer in further investigation of the case and shall make himself available for interrogation by the Investigating Officer as and when required.

vi. The Petitioner/Accused No.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 Petitioner/Accused No.5 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.

SD/- T.SRINIVASA RAO
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The I Additional Judicial Magistrate of First Class, Giddalur, Prakasam District
2. The Superintendent, Sub-Jail, Markapur
3. The Forest Range Officer, Gundlakamma Range, Deputy Director Project Tiger, Giddalur Division of NSTR, Markapur District.
4. One CC to SRI. D KASIM SAHEB Advocate [OPUC]
5. Two CCs to PUBLIC PROSECUTOR, High Court of Andhra Pradesh [OUT]
6. One spare copy

HIGH COURT

DR.YLR,J

DATED:08/10/2026

BAIL ORDER

CRLP NO. 8235 OF 2026

ALLOWED

