APHC010509572026

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

TUESDAY, THE 13th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NOs: 8580 and 8590 of 2026

1.CRIMINAL PETITION NO: 8580/2026

Between:

1. GUMMA HARI KRISHNA, S/O. MOHAN RAO,AGED 29 YEARS, R/O. KABADA JUMGUDA,DOMANGI POST, GUNTA GANNELA PANCHAYAT,DUMBRIGUDA MANDAL, VISAKHAPATNAM
2. KISHAN DHADKA, S/O. TULARAM,AGED 24 YEARS, R/O. RENU VILLAGE, SADAM POTTING KORAPUT DISTRICT, ODISSA STATE.

...PETITIONER/ACCUSED Nos.1 & 3

AND

1. THE STATE OF ANDHRA PRADESH, through Station House officer,Araku Valley Police Station, VisakhapatnamRep. by Public Prosecutor,High Court at Amaravati.

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused(S):

1. RAMINENI SUDHEER

Counsel for the Respondent/complainant:

1. PUBLIC PROSECUTOR

2.CRIMINAL PETITION NO: 8590/2026

Between:

1. MUHZIN P A, P.A., S/O ASHARAF P.B,AGED 31 YEARS, R/O.

PULIKKAL, NARAYAMBALAM POST EARNAKULAM DISTRICT, KERALA STATE.

...PETITIONER/ACCUSED No.2

AND

1. THE STATE OF ANDHRA PRADESH, through Station House officer,Araku Police Station, VisakhapatnamRep. by Public Prosecutor,High Court at Amaravati.

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused:

1. RAMINENI SUDHEER

Counsel for the Respondent/complainant:

1. PUBLIC PROSECUTOR

The Court made the following:

COMMON ORDER:

These two Criminal Petitions are heard together and are being disposed of by this common order, as they arise out of the same crime, though the Petitioners are different.

2. The Criminal Petition Nos.8580 & 8590 of 2026 have 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 to 3 on regular bail in Crime No.39 of 2026 of Araku Police Station, Alluri Sitharama Raju District, registered for the alleged 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').

3. Heard the learned counsel for the Petitioner and the learned Assistant Public Prosecutor.

4. Mr. Ramineni Sudheer, the learned Counsel for the Petitioners submits that the Petitioners are innocent of the alleged offences. They have been falsely implicated by the police. It is further submitted that the Petitioners are the sole earning members of their respective families and, therefore, their incarceration would cause undue hardship to their dependents. 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 Petitions.

5. *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 Petitions.

6. On perusal of the record, the Petitioners were arrested on 11.07.2026. They have been in judicial custody for the past 94 days. The allegation against the Petitioners is that they were found in possession of 1 kg of weed oil. On receipt of the inventory, it is revealed that the net weight of the seized weed oil is only 0.950 grams, which is less than the commercial quantity. So far, five

witnesses have been examined, and they are all material and official witnesses. No application has been filed seeking custodial interrogation of the Petitioners.

7. The Petitioners are permanent residents of Visakhapatnam, Odisha State and Kerala State, respectively. They have got fixed abode. If the Petitioners are enlarged on bail subject to stringent conditions, there is no likelihood of their interfering with the investigation, threatening witnesses, or tampering with evidence.

8. Having regard to the facts and circumstances of the case, the nature and gravity of allegations leveled against the Petitioners/Accused Nos.1 to 3, this Court is inclined to enlarge Petitioners/Accused Nos.1 to 3 on bail with some stringent conditions.

9. In the result, the Criminal Petition Nos.8580 & 8590 of 2026 are allowed with the following stringent conditions:

> i. The Petitioners/Accused Nos.1 to 3 shall be enlarged on bail subject to their executing a bond for a sum of Rs.2,00,000/- (Rupees Two Lakhs only) each with two sureties each for the like sum each to the satisfaction of the learned Judicial Magistrate of First Class, Araku.
> ii. The Petitioners/Accused Nos.1 to 3 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.1 to 3 shall not leave the limits of the Andhra Pradesh without prior permission from the Station House Officer concerned.

iv. The Petitioners/Accused Nos.1 to 3 shall not commit or indulge in commission of any offence in future.

v. The Petitioners/Accused Nos.1 to 3 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.1 to 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.

vii. The Petitioners/Accused Nos.1 to 3 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.

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DR. Y. LAKSHMANA RAO, J

Date: 13.10.2026

Note: Issue C.C. by today

B/o

PRA

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION Nos: 8580 and 8590 of 2026

Date: 13.10.2026

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