APHC010519662026

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

WEDNESDAY, THE 7th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 8730/2026

Between:

1. M HANUMANTHU, S/O. LATE M. GOVINDA RAJU,AGED ABOUT 46 YEARS,R/O. O.G. KUPPAM VILLAGE, NAGARI MANDAL CHITTOOR DISTRICT, ANDHRA PRADESH.
2. M URMILA, W/O. M. SAMSON,AGED ABOUT 26 YEARS,R/O. O.G. KUPPAM VILLAGE, NAGARI MANDAL CHITTOOR DISTRICT, ANDHRA PRADESH.

...PETITIONER/ACCUSED(S)

AND

1. THE STATE OF ANDHRA PRADESH, Rep. by its Public Prosecutor, High Court of Andhra Pradesh, Amaravati Through the Station House Officer, Nagari Police Station, Chittoor District

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused(S):

1. P BADRINATH

Counsel for the Respondent/complainant:

1. 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 Petitioners/Accused Nos.1&2 on bail in Crime No.44 of 2026 of Nagari Urban Police Station, Chittoor District, registered against the Petitioners/Accused Nos.1&2 herein for the alleged offences punishable under Sections 8(c) read with 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity 'the NDPS Act').

2. Mr.P.Badrinath, the learned counsel for the Petitioners herein, submits that the petitioners are innocent of the alleged offences and have been falsely implicated in the case. They are law-abiding citizens. They are the sole earning members of their respective families. They have not committed any offence. 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 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 Petitioners and the learned Assistant Public Prosecutor. Perused the record.

5. As seen from the record, the petitioners were apprehended on 27.05.2026 and have been in judicial custody for the past 133 days. Even after completion of sixty days in the judicial custody, no charge sheet has been filed. The allegation against the petitioners is that they were found in possession of 12.590 Kgs of ganja. The seized contraband is not a commercial quantity. There is one similar adverse antecedent reported against the petitioner No.1/Accused No.1 and there are two similar adverse antecedents reported against the petitioner No.2/Accused No.2.

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

7. Considering the facts and circumstances of the case, the nature and gravity of allegations levelled against the Petitioners, this Court is inclined to enlarge the Petitioners/Accused Nos.1&2 on bail with some stringent conditions.

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

i. The Petitioners/Accused Nos.1&2 shall be enlarged on bail subject to their executing a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) each, with two

sureties each, for the like sum, each to the satisfaction of the learned Judicial Magistrate of First Class, Nagari.

ii. The Petitioners/Accused Nos.1&2 shall appear before the learned Trial Court on each and every adjournment without fail.

iii. The Petitioners/Accused Nos.1&2 shall not leave the limits of the District without prior permission from the learned Trial Court concerned.

iv. The Petitioners/Accused Nos.1&2 shall not commit or indulge in commission of any offence while on bail.

v. The Petitioners/Accused Nos.1&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.

vi. The Petitioners/Accused Nos.1&2 shall surrender their passports, if any, to the Investigating Officer. If they state that they do not have passports, the Petitioners shall file an affidavit to that effect.

DR. Y. LAKSHMANA RAO, J

Date: 07.10.2026
Pmk

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 8730 of 2026

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Pmk