APHC010525192026

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

MONDAY, THE 12th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 8828/2026

Between:

1. ARLI GANESH, S/O. APPARAO RAJA RAO, AGED ABOUT 33 YEARS R/O. RATNAMPETA VILLAGE, ROLUGUNTA MANDAL,ANAKAPALLI DISTRICT, A.P.

...PETITIONER/ACCUSED

AND

1. THE STATE OF ANDHRA PRADESH, Rep by its Public Prosecutor,High Court of Andhra Pradesh at Amaravati.

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused:

1. GOLLAPALLI MAHESWARA RAO

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 Petitioner/Accused No.4 on bail in Crime No.62 of 2016 of Rolugunta Rural Police Station, Anakapalli District in NSC No.311 of 2017 on the file of the learned Metropolitan Sessions Judge, Visakhapatnam,

registered for the alleged offences punishable under Sections 20(b), 25 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity 'the NDPS Act').

2. Mr. Gollapalli Maheswara Rao, the learned counsel for the Petitioner submits that the Petitioner is a law-abiding citizen. The investigation has already been completed and the Charge Sheet has already been filed as NSC No.311 of 2017. It is further submitted that the Petitioner is the sole earning member of the family and that his continued incarceration would cause undue hardship to his dependents. It is further submitted that the Petitioner had regularly appeared before the learned Trial Court on earlier occasions and that his absence on one occasion resulted in the issuance of an NBW on 30.07.2024. The Petitioner undertakes to comply with any conditions that may be imposed by this Court while enlarging him on bail. Hence, it is urged to allow the Criminal Petition.

3. *Per contra*, Mr. A.Sai Rohith, the learned Assistant Public Prosecutor, submits that the Petitioner failed to appear before the learned Trial Court, resulting in the issuance of an NBW, which was subsequently executed on 27.07.2026 by the Respondent/Police. It is further submitted that appropriate conditions may be imposed to ensure the Petitioner's regular appearance before the learned Trial Court, subject to the imposition of stringent conditions.

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 a permanent resident of Anakapalli District. He has got fixed abode. On an earlier occasion, the Petitioner was regularly appearing before the learned Trial Court. However, he could not appear before the learned Trial Court on one occasion, resulting in the issuance of an NBW on 30.07.2024. The Respondent-Police arrested the Petitioner pursuant to the said NBW on 27.07.2026. The Petitioner has been in judicial custody for the past 77 days. If one more opportunity is given to the Petitioner, he would mend his ways, appear before the learned Trial Court regularly and cooperate with the trial for the disposal of the case.

6. Considering the facts and circumstances of the case, the nature and gravity of allegations levelled against the Petitioner/Accused No.4, this Court is inclined to enlarge the Petitioner/Accused No.4 on bail with some stringent conditions.

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

> i. The Petitioner/Accused No.4 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 & Sessions Judge-cum-Special Judge for Trial of Offences under NDPS Act, Visakhapatnam.

ii. The Petitioner/Accused No.4 shall appear before the learned Trial Court on each and every adjournment without fail.

iii. The Petitioner/Accused No.4 shall not commit or indulge in commission of any offence in future.

iv. The Petitioner/Accused No.4 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.

v. The Petitioner/Accused No.4 shall surrender his passport, if any, to the Investigating Officer. If he claims that he does not have passport, he shall submit an affidavit to that effect to the Investigating Officer.

vi. The Petitioner/Accused No.4 shall furnish his permanent and temporary address details to the Investigating Officer/Station House Officer concerned.

vii. The Petitioner/Accused No.4 shall not leave the jurisdiction of the learned Trial Court without obtaining the express permission of the learned Trial Court.

DR. Y. LAKSHMANA RAO, J

Date: 12.10.2026
PRA

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 8828 of 2026

Date: 12.10.2026

PRA