APHC010578262026

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

FRIDAY, THE 6th DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 9714/2026

Between:

1. SHANKAR ALIAS SANKAR V, S/O. VELLI, AGED ABOUT 28 YEARS, R/O.KANNEMODU, NAMIAMBATTU VILLAGE AND POST, JAMUNAMATHURU TALUK,TIRUVANNAMALAI DISTRICT, TAMIL NADU STATE.
2. PARTHIBAN SAMINATHAN, S/O. SAMINATHAN, AGED ABOUT 19 YEARS,R/O. JONA PARAI VILLAGE, NAMIAMBATTU POST, JAMUNAMATHURU TALUK,TIRUVANNAMALAI DISTRICT, TAMIL NADU STATE.
3. DURAIMURUGAN, S/O. DURASAMY, AGED ABOUT 24 YEARS, R/O. KOLLAIVEEDU, NAMIAMBATTU POST AND PANCHAYAT, JAMUNAMATHURU TALUK,TIRUVANNAMALAI DISTRICT, TAMIL NADU STATE.
4. RAMAMOORTHY, S/O. VELLAIYAN, AGED ABOUT 25 YEARS, R/O. KOLLAIVEEDU, NAMIAMBATTU POST AND PANCHAYAT, JAMUNAMATHURU TALUK,TIRUVANNAMALAI DISTRICT, TAMIL NADU STATE.
5. RAJAMANI PONNUSMAY, S/O. PONNUSMAY, AGED ABOUT 19 YEARS,R/O. MELANAMMIYAMPATTU VILLAGE, NAMIAMBATTU POST ANDPANCHAYAT, JAMUNAMATHURU TALUK, TIRUVANNAMALAI DISTRICT, TAMILNADU STATE.

...PETITIONER/ACCUSED(S)

AND

THE STATE OF ANDHRA PRADESH, REPRESENTED BY ITS PUBLIC PROSECUTOR,HIGH COURT OF ANDHRA PRADESH, AMARAVATI, THROUGH THE STATIONHOUSE OFFICER, RSASTF P.S, TIRUPATI,

TIRUPATI DISTRICT, ANDHRAPRADESH.

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused(S):

SRINIVASU L

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 petitioners/accused Nos.5, 7 to 10 on bail in Crime No.26 of 2026 of RSASTF Police Station, Tirupati District, registered against the petitioners/accused Nos.5, 7 to 10 for the offence punishable under Sections 303(2) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for brevity 'the BNS'), 61(2) and 49 of 'the BNS', Section 20(1)(d)(i)(a) read with 20(1)(c), ii, iii, iv, x, 36(a) read with 32A, 29(4)(a)(i) of the Andhra Pradesh Forest Act, 1967.

2. Mr.L.Srinivasu, learned counsel for the petitioners, submits that the petitioners are innocent of the alleged offences and have been falsely implicated in the present case. They have not committed any offence. They are sole earning members of the family. They are law-abiding citizens. They have got fixed abode. The petitioners undertake to abide by any conditions

that may be imposed by this Court while granting bail. Hence, learned counsel urges that the petition may be allowed.

3. *Per contra*, Mr. A. Sai Rohith, learned Assistant Public Prosecutor, vehemently opposes 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 likelihood of their absconding, thereby hampering the ongoing investigation and evading the process of law. In view of the foregoing submissions, learned Assistant Public Prosecutor urges that the petition be dismissed.

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 are arraigned as Accused Nos.5 and 7 to 10. Petitioner Nos.2 and 5 are of tender age, i.e., 19 years. All the petitioners are residents of the State of Tamil Nadu. They were arrested on 19.09.2026 and have been in judicial custody for the past 58 days. There is one adverse antecedent reported against petitioner No.5, whereas no adverse antecedents are reported against the other petitioners. It is alleged by the prosecution that the petitioners were involved in dealing with 14 red sanders logs, weighing about 418 Kgs and valued at Rs.20,90,000/- in the open market. So far, only eight witnesses have been examined, and some more material witnesses are yet to be examined. The investigation is at a

progressive stage, and the material part of the investigation is yet to be completed.

6. Having regard to the facts and circumstances of the case, the nature and gravity of the allegations levelled against the petitioners/Accused Nos.5 and 7 to 10, and in view of the pendency of the investigation, the request for enlarging the petitioners on bail is not found convincing and reasonable. Hence, this Court finds no merit in the Criminal Petition, and the same is liable to be dismissed.

7. In the result, the Criminal Petition is dismissed.

As a sequel, Miscellaneous petitions, if any pending, shall stand closed.

DR. Y. LAKSHMANA RAO, J

Date: 06.11.2026
RSI

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THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 9714 of 2026

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RSI