Date of reserved for orders :
Date of pronouncement :
Date of uploading :

APHC010585342026

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

TUESDAY, THE 10th DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 9861/2026

Between:

1. KALLAPALLI NAGENDRA, S/O KRISHNAMURTHY, AGED 43 YEARS,GONDUVOLU VILLAGE POST, THOPU STREET,CHITVEL, CUDDAPAH

...PETITIONER/ACCUSED

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PUBLIC PROSECUTOR, HIGH COURT AT AMARAVATHI. A.P

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused:

1. BALA KRISHNA V

Counsel for the Respondent/complainant:

1. PUBLIC PROSECUTOR

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 9861 of 2026

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.1 on bail in connection with NDPS S.C.No.453 of 2025 on the file of I Additional District and Sessions Judge, Rajamahendravaram in Crime No.137 of 2025 of Gandepalli Police Station, Kakinada District registered for the alleged offences punishable under Section 8(c) read with Section 20(b)(ii)(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity 'the NDPS Act').

2. Mr.Vallepu Bala Krishna, 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, the learned counsel prays to allow the petition.

3. *Per contra*, Mr. A. Sai Rohith, learned Assistant Public Prosecutor, vehemently opposes the grant of bail to the petitioner and submits that, though the charge sheet has already been filed, the accusations against the

petitioner are well founded. Hence, he prays for dismissal of the Criminal Petition.

4. Heard the learned counsel for the petitioner and the learned Assistant Public Prosecutor. Perused the record.

5. On perusal of the record, it is evident that this Court, vide order dated 28.10.2026 in Crl.P.No.8122 of 2026, enlarged Accused No.3 on bail. Similarly, the learned Coordinate Bench of this Court, vide order dated 23.10.2026 in Crl.P.No.9299 of 2026, enlarged Accused No.2 on bail. After completion of the investigation, the police have filed the charge sheet. The petitioner was apprehended at the spot while he was allegedly involved in the possession and transportation of 110.64 kilograms of ganja. The petitioner has been in judicial custody for the past 513 days, pursuant to his arrest on 16.06.2025. The petitioner has got fixed abode. If one more opportunity is given to the petitioner, there is every likelihood of his complying with the conditions that may be imposed by this Court.

6. Having regard to the facts and circumstances of the case, the nature and gravity of the allegations levelled against the petitioner, the period of incarceration undergone by him, and the nature of the evidence available on record, this Court is inclined to enlarge the petitioner/Accused No.1 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.1 shall be enlarged on bail subject to his executing a bond for a sum of Rs.2,00,000/- (Rupees Two Lakhs only) with two sureties for the like sum each to the satisfaction of the learned I Additional District and Sessions Judge, Rajamahendravaram.

ii. The charge sheet filed, Petitioner/Accused No.1 shall appear before the learned Trial Court on each and every adjournment without fail.

iii. The Petitioner/Accused No.1 shall not leave the limits of the State of Andhra Pradesh without prior permission from the learned Trial Court concerned.

iv. The Petitioner/Accused No.1 shall not commit or indulge in commission of any offence while on bail. If any offence is reported against the petitioner, the investigating officer is at liberty to file application for cancellation of bail.

v. The Petitioner/Accused No.1 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 Petitioner/Accused No.1 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.

DR. Y. LAKSHMANA RAO, J

Date: 10.11.2026
S D P

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 9861 of 2026

Date: 10.11.2026
S D P