APHC010593252026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI

FRIDAY, THE 13th DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 9976 OF 2026

Between:

1. Kalla Shiva Jamil, S/o. Satyanarayana, A/37 yrs, R/o Santa Paidipala village Rowthulapudi M, Kakinada Dist, A.P, Cell 7671934860

...PETITIONER/ACCUSED

AND

1. The State of Andhra Pradesh, Represented by its Public Prosecutor, High Court of Andhra Pradesh, Amaravati-522239.

...RESPONDENT/COMPLAINANT

Petition under Section 437/438/439/482 of Cr.P.C and 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Courta) Enlarge the petitioner/A-2 on regular bail in Crime No.14/2026 of G.K. Veedhi P.S, ASR Dist, corresponding to NSC No.392/2026. on such terms and conditions as this Hon'ble Court

Counsel for the Petitioner/accused: SRINIVAS JARUGU

Counsel for the Respondent/complainant PUBLIC PROSECUTOR

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

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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.2 on bail in connection with Crime No.14 of 2026 of Gudemkothaveedi (G.K.Veedhi) Police Station, Alluri Sitharama Raju District, registered for the alleged offences punishable under Section 20(b)(ii)(C) read with Section 8(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity 'the NDPS Act').

2. Mr. Jarugu Srinivas, the learned Counsel for the Petitioner submits that the Petitioner is implicated in to the alleged offence as per the confession of accused No.1 and he 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.7671 of 2026, enlarged Accused No.3 on bail. The Petitioner is implicated in the alleged offence based on the confession of Accused No.1. There are three similar adverse antecedents against the Petitioner. After completion of the investigation, the police have filed the charge sheet. The allegation against the Petitioner is that he acted as a transporter by arranging a vehicle for Accused No.1. He was arrested on 15.04.2026 and since then has been in judicial custody. The seized contraband is 23.320 kgs. So far, four (04) witnesses have been examined. The material part of the investigation is completed. The Petitioner is a permanent resident of Rowthulapudi Mandal, Kakinada District, and he has got fixed abode.

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.2 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.2 shall be enlarged on bail subject to his executing a bond for a sum of Rs.3,00,000/- (Rupees Three Lakhs only) with two sureties for the like sum each to the satisfaction of the learned I Additional District & Sessions Judge, Visakhapatnam.

ii. The Petitioner/Accused No.2 shall appear before the learned Trial Court on each and every adjournment without fail.

iii. The Petitioner/Accused No.2 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.2 shall not commit or indulge in commission of any offence while on bail.

v. The Petitioner/Accused No.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 Petitioner/Accused No.2 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: 13.11.2026
S D P

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

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