

APHC010069322026



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

[3396]

THURSDAY, THE NINETEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL PETITION NO: 1067/2026

Between:

1. SUNIL KUMAR, S/O DASARATH, AGED 46 YEARS, H. NO.5,
KAHABOMMAN SALAI, VTC, GRAND LYON, VADAKARAI,
THIRUVALIUR.

...PETITIONER/ACCUSED

AND

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

...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 Court pleased to release the petitioners/accused
no.3 on bail, pending investigation, inquiry and trial in OR.No.70/2025-26 of
FRO, of Badvel Range and pass

Counsel for the Petitioner/accused:

1. KAPPERA PAVAN KALYAN

Counsel for the Respondent/complainant:

1. PUBLIC PROSECUTOR

The Court made the following:

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA**CRIMINAL PETITION NO: 1067 of 2026****Order:**

The Criminal Petition under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity 'the BNSS'), has been filed by the petitioners/Accused No.3, seeking regular bail in connection with O.R.No.70/2025-26 of Forest Range Office, Badvel Range, Kadapa Division registered for the offences punishable under Sections 20(1)(c)(i)(ii)(iv)(vi) & (x), Section 20(d), 32A, 32B, 32C, 62A of A.P.Forest (Amendment)Act, 1969, Section 29 read with 68 and Section 29 (4)(a) of A.P.Forest Act, 1967, Rule 3 of A.P.Red Sanders Wood Possession Rules 1989, Section 3, 4 & 6 of Biological Diversity Act, 2002 and Section 303(2) read with 3(5), 49, 61 (2) of BNS.

2. The case of the prosecution, in brief, is that on 08.01.2026 at about 7:30 PM, upon receiving credible information from the District Forest Officer, YSR District, the Forest Range Officer, Badvel Range along with staff proceeded to the old Gopulapuram Nursery of CA Block, Lothuvanka Beat. On reaching the spot, they noticed suspicious activity and apprehended five persons while others escaped. On search of the Eicher Goods Carrier bearing No. TN04 Q7520, it was allegedly found loaded with 66 dressed Red Sanders logs and 9 dressed Red Sanders roots weighing in total 2633 Kgs. The accused persons allegedly failed to produce any valid transit permit for transportation. The

forest officials seized the contraband, vehicles, and mobile phones and registered the above crime. The petitioner is arrayed as Accused No.3.

3. Heard Sri Kappera Pavan Kalyan, learned counsel for the petitioner/accused No.3 and Mrs.K.Priyanka Lakshmi, learned Assistant Public Prosecutor on behalf of the State.

4. Learned counsel for the petitioner would submit that the petitioner is innocent and falsely implicated; that except alleged confessional statements, there is no material connecting him with the offence and he is the sole breadwinner of his family; and that he is willing to abide by any conditions imposed by this Court.

5. Learned Assistant Public Prosecutor opposed the bail petition contending that investigation is still pending; statutory period has not over; the petitioner has been in judicial custody since 09.01.2026; several material witnesses are yet to be examined; and if released on bail, there is every likelihood of absconding and tampering with evidence.

6. Considering the submissions made and on perusal of the material available on record, the allegations pertain to illegally entered into Reserved Forest, felling and transportation of Red Sanders logs in large quantity. The seizure of 66 dressed Red Sanders logs and 9 roots weighing 2633 Kgs, *prima facie*, indicates smuggling activity. The investigation is at a nascent stage and the role of the petitioner is required to be thoroughly investigated.

7. Considering the gravity of the offences alleged, the quantity of contraband seized, the stage of investigation and the possibility of the petitioner influencing witnesses or hampering the investigation, this Court is not inclined to grant bail at this stage.

8. Accordingly, the Criminal Petition is dismissed.

DR. JUSTICE VENKATA JYOTHIRMAI PRATAPA

Date: 19.02.2026

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THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL PETITION NO: 1067/2026

Dated 19.02.2026

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