

[3396]

**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

**FRIDAY, THE TWENTIETH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX**

:PRESENT:

**THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA
CRIMINAL PETITION NO: 1399 OF 2026**

Between:

1. Shaik Babu @ S.K Babu, S/o Late Shaik Basha @ Shaik Khadar Basha, aged 40 years, R/o. A53, C7, Tidco apartments, Bhagath Singh Colony, Nellore. A1
2. K Subramanyam, S/o Kalapati Penchalaiah, aged 45 years, R/o. D. No. 1/26, SC Colony, B.V Puram, Bahadur, Venkatapuram, Gollapalli Village and Post, Srikalahasthi Mandal, ...A2
3. Panabaka Srinivasulu, S/o Panabaka Siddaiah, aged 51 years, R/o. D.No. 20-1269, Kaamaati Street, Kotamitta, Nellore Town. ...A3

Petitioner/Accused No. 1 to 3

AND

1. The State of Andhra Pradesh, rep by its Public Prosecutor, High Court of Andhra Pradesh, At Amaravati.

Respondent/Complainant

Petition under Section 480 & 483 of BNSS, praying that in the circumstances stated in the affidavit filed in support of the Criminal Petition, the High Court may be pleased to release the petitioners No. 1 to 3 on bail, pending investigation, inquiry and trial in Cr.No.01 of 2026 of RSASTF Police Station, Tirupati;

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of D PURNACHANDRA REDDY Advocate for the Petitioners, PUBLIC PROSECUTOR Advocate for the Respondent and the Court made the following.

ORDER:-

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA**CRIMINAL PETITION NO: 1399/2026****ORDER:**

This Criminal Petition, under Sections 480 and 483 of the BNSS, has been filed by the Petitioners herein/Accused Nos.1 to 3, seeking regular bail, in Crime No.01 of 2026 of RSASTF Police Station, Tirupati, registered for the offences punishable under Sections 303(2) read with 3(5) of B.N.S, Section 49, 61(2) of BNS and Sections 20(1)(d)(i)(a), read with 20(1)(c)(ii)(iii)(iv)(x), 36(a),r/w 32A, 29(4)(a)(i) of the AP Forest Amendment Act, 2016.

2. The case of the prosecution in brief, is that, the petitioners (Accused Nos. 1 to 3) were arrested on 22.01.2026 in Crime No. 01 of 2026 of RSASTF Police Station, Tirupati, for alleged illegal transportation of 28 red sanders logs weighing 222 kg. The prosecution alleges that the police intercepted a motorcycle and a car near Venkatachalam Toll Plaza, apprehended four persons who attempted to flee, and seized the red sanders logs along with the vehicles.

3. Heard Sri Purna Chandra Reddy, learned counsel for the Petitioner Nos.1 to 3/Accused Nos.1 to 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 No.3 is not involved in other cases and there are no criminal antecedents against him. The Petitioner No.3/Accused No.3 has been in judicial custody for the

last 30 days. He would further submit that the daughter's marriage of the Accused No.3 is scheduled to be held on 25.02.2026. He would further submit that the Petitioner No.3/Accused No.3 is ready and willing to furnish sufficient sureties to the satisfaction of the learned Trial Court to secure his presence for the purpose of investigation in the event the Petitioner is enlarged on bail. Learned counsel finally prays to allow the present petition with respect to the Petitioner No.3/Accused No.3 and the Criminal Petition with respect to the Accused Nos. 1 and 2 may be disposed of as not pressed with a liberty to file a fresh petition at appropriate time.

5. Learned Assistant Public Prosecutor on behalf of the State would submit that the marriage of the 3rd petitioner's daughter is scheduled to be held on 25.02.2026. She would further submit that the Court may take appropriate decision by imposing stringent conditions.

6. Considering the submissions made, on perusal of the material placed on record and taking into consideration the facts and circumstances of the case that the Accused No.3 has been in judicial custody since, 22.01.2026 and as his daughter's marriage is scheduled to be held on 25.02.2026, investigation is still pending. It is also represented that another case is pending against the Accused No.3 under the provisions of IPC. Taking into consideration, the facts and circumstances of the case and the stage of investigation, this Court is inclined to enlarge the Petitioner No.3 /Accused No.3 on regular bail.

7. In that view of the matter, the Criminal Petition is allowed with respect to the Petitioner No.3 /Accused No.3 and the Petitioner No.3/Accused No.3 is hereby enlarged on regular bail on the following conditions;

- i. The Petitioner No.3 /Accused No.3 shall execute a personal bond for a sum of Rs. **20,000/-** (Rupees Twenty Thousand only) with two sureties each for a like sum each, to the satisfaction of the learned Judicial Magistrate of First Class for Trial of Cases relating to the Red Sanders Smuggling, Tirupati.
- ii. The Petitioner No.3 /Accused No.3 shall appear before the Investigating Officer as and when required and shall cooperate with further investigation, if any.
- iii. The Petitioner No.3 /Accused No.3 shall not directly or indirectly tamper with evidence nor influence, intimidate, or induce any prosecution witness.
- iv. The Petitioner No.3 /Accused No.3 shall appear before the Station House Officer, concerned, once in a week i.e., on every Sunday between 10.00 a.m. and 5.00 p.m., till filing of charge sheet.

8. In the event of violation of any of the above conditions, the prosecution shall be at liberty to seek cancellation of bail.

9. It is also made clear that the observations made in this order are only for the purpose of deciding the bail application and they shall not be construed as opinion on the merits of the Crime.

10. Coming to the case of the Petitioner Nos. 1 and 2/Accused Nos. 1 and 2, the Criminal Petition is dismissed as not pressed. However, the Petitioner Nos. 1 and 2/Accused Nos. 1 and 2 are at liberty to file a fresh petition as and when required.

As a sequel thereto, the miscellaneous applications, if any, pending in this Criminal Petition shall stand closed.

SD/-K.V.RAGHAVULU
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Judicial Magistrate of First Class for trial of cases relating to Red Sanders Smuggling, Tirupati.
2. The Superintendent, Special Sub-Jail, Tirupati.
3. The Station House Officer, RSASTF Police Station, Tirupati
4. One CC to Sri D Purnachandra Reddy Advocate [OPUC]
5. One CC to Sri Public Prosecutor Advocate [OPUC]
6. **One spare copy**

HIGH COURT

DR.VJP,J

DATED:09/02/2026

BAIL ORDER

CRLP.No.1399 of 2026

ALLOWED

