

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

MONDAY, THE SEVENTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA
CRIMINAL PETITION NO: 2439 OF 2025



Between:

Gabbadi Ravi Kumar, S/o. Ramana Murthy, aged about 32 years, R/o. Sadhika Village, G. Madugula Panchayat, G. Madugula Mandal, Alluri Sitharama Raju District.

...Petitioner/Accused No.5

AND

The State of Andhra Pradesh, Rep by its Public Prosecutor, High Court of Andhra Pradesh.

...Respondent

Petition under Section 437 & 439 of Cr.P.C, and Under Sections 480 & 483 of BNSS praying that in the circumstances stated in the memorandum of grounds filed in support of the Criminal Petition, the High Court may be pleased to enlarge the Petitioner/Accused No.5 on bail pending disposal of Crime No. 18/2023 of G. Madugula P.S., now Alluri Sitharama Raju District .

The Petition coming on for hearing, upon perusing the Petition and the memorandum of grounds filed in support thereof and upon hearing the arguments of SRI GOLLAPALLI MAHESWARA RAO Advocate for the Petitioner, and of PUBLIC PROSECUTOR, for the Respondent;

APHC010114842025



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

[3369]

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TWO THOUSAND AND TWENTY FIVE

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THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL PETITION NO: 2439/2025

Between:

Gabbadi Ravi Kumar

...PETITIONER/ACCUSED

AND

The State Of Andhra Pradesh

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused:

1. GOLLAPALLI MAHESWARA RAO

Counsel for the Respondent/complainant:

1. PUBLIC PROSECUTOR

The Court made the following:

The Criminal Petition, u/Sec.480 & 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, is filed on behalf of the petitioner/A5 to grant regular bail in connection with Crime No.18/2023 of G.Madugula Police Station, Alluri Sitharamaraju District.

2. A case has been registered against the petitioner herein and others for the offences punishable u/Sec.20(b)(ii)(C), 25 r/w 8(c) of NDPS Act.

3. The case of the prosecution in nut shell is as follows:

On 04.6.2023 at 11.00 am, on receipt of credible information about illegal possession and transportation of ganja, the S.I of police, G.Madugula police station, along with staff and mediators went to Matsyapuram junction of G.Madugula Mandal and conducted vehicle checking. They noted one car coming from Nurmathi side and proceeding towards Paderu adno n seeing police, four persons in the car tried to escape. Then police apprehended three persons while the other one escaped. On enquiry, they disclosed their identity particulars as that of A1 to A3 and police found 24 kgs of ganja in their possession. Basing on their confession statement, the name of the petitioner/A5 was added in the crime and the other accused purchased the contraband from this accused. The petitioner was arrested on 12.12.2024 on execution of PT warrant.

4. Heard Sri G.Maheswara Rao, learned counsel for the petitioner/A5 and Sri Neelothpal Ganji, learned Assistant Public Prosecutor the respondent.

5. Learned counsel for the petitioner would submit that basing on the confession statement of other accused, the name of the present petitioner was arrayed as an accused in the above said crime and nothing has been seized from the possession of the petitioner. The petitioner has been in judicial custody since 12.12.2024 i.e. for more than three months. By this time, most of the investigation might have completed and prays to grant bail to the petitioner.

6. Contra to the same, learned Assistant Public Prosecutor would submit that charge sheet in this case was filed on 25.02.2025 basing on the confession statement of other accused, the petitioner was arrested on execution of PT warrant.

7. Considering the submissions made and on perusal of the material on record, basing on the confession statement of other accused, the petitioner was arrayed as an accused and nothing was seized from the possession of the petitioner and he is in judicial remand from 12.12.2024 and as reported by the learned Assistant Public Prosecutor that investigation was completed and charge sheet was filed, this Court is inclined to allow the criminal petition with the following conditions.

8. In the result, the criminal petition is allowed and the petitioner/A5 shall be released on bail on his executing a personal bond for a sum of Rs.20,000/- (Rupees twenty thousand only) with two sureties for a like sum each to the satisfaction of the learned I Additional District and Sessions Judge, Visakhapatnam.

Consequently, miscellaneous applications pending, if any, shall stand closed.

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For

SD/-SK MD RAFI
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The I Additional District & Sessions Judge-Special Judge for Trial of Offences Under NDPS Act, Visakhapatnam, Visakhapatnam District
2. The Superintendent, Central Jail, Visakhapatnam, Visakhapatnam District
3. The Station House Officer, G. Madugula Police Station, Alluri Sitharama Raju District
4. One CC to SRI. GOLLAPALLI MAHESWARA RAO Advocate [OPUC]
5. Two CCs to PUBLIC PROSECUTOR, High Court of Andhra Pradesh [OUT]
6. **One spare copy**

PSR

HIGH COURT

Dr.VJP,J

DATED:17/03/2025

BAIL ORDER

CRLP.No.2439 of 2025

ALLOWED

