

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
MONDAY, THE SEVENTEENTH DAY OF MARCH,
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA
CRIMINAL PETITION NO: 2454 OF 2025



Between:

Botta Teja Balu @ Balu, S/o late Appala Naidu, age 20 years, r/o near Nookalamma temple, Yadava Jaggarajupeta, Vadlapudi, Visakhapatnam City, Aadhar No.2796 6419 2569.

...Petitioner/Accused No.2

AND

The State of Andhra Pradesh, Through Station House Officer, Gajuwaka Police Station, Rep. by its Public Prosecutor, High Court of Andhra Pradesh, Amaravathi, Guntur District

...Respondent/Complainant

Petition under Section 480 & 483 of BNSS (Old Sections 437 & 439 of Cr.P.C), 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 release the petitioner/Accused-2 on bail in Cr.No.53/2025, under section 22(b) r/w8(c) of NDPS Act 1985, & on the file of the Gajuwaka Police Station, Visakhapatnam, dated 10-02-2025.

Counsel for the Petitioner : Sri Kakumanu Joji Amrutha Raju

Counsel for the Respondent : Assistant Public Prosecutor.

The Court made the following

ORDER:

APHC010116292025



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

[3369]

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

PRESENT

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL PETITION NO: 2454/2025

Between:

Botta Teja Balu @ Balu

...PETITIONER/ACCUSED

AND

The State Of Andhra Pradesh

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused:

1.KAKUMANU JOJI AMRUTHA RAJU

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/A2 to grant regular bail in connection with Crime No.53/2025 of Gajuwaka Police Station, Visakhapatnam Commissionerate.

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

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

On 08.02.2025 at 12.00noon, on receipt of credible information about illegal possession and transportation of ganja, the Inspector of police, Gajuwaka police station, along with staff and mediators went to Srinagar, Gajuwaka, Visakhapatnam city and caught A1 while he was found in possession of 04 grams of MDMS drug powder. On enquiry, he disclosed his identity particulars and police seized the drug powder, arrested the accused on the same day and basing on his confession, the name of A2 was included in the crime and arrested A2 on 10.02.2025 and got him remanded to judicial custody.

4. Heard Sri K.J.Amrutha Raju, learned counsel for the petitioner/A2 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 A1, 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 10.02.2025 and the seized drug powder is non-commercial quantity. 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 not filed for want of RFSL report and basing on the confession statement of A1, the petitioner was arrested.

7. Considering the submissions made and on perusal of the material on record, basing on the confession statement of A1, the petitioner was arrayed as an accused and nothing was seized from the possession of the petitioner and he is in judicial remand from 10.02.2025 and as reported by the learned Assistant Public Prosecutor that investigation was completed but charge sheet was not filed for want of RFSL report and inventory, 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/A2 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. After release the petitioner shall attend before the Station House Officer concerned thrice in a week i.e. on every Monday, Wednesday and Friday in between 10.00am to 01.00pm for a period of six (06) months.

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

SD/- N.NAGAMMA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The I Additional District & Session Judge, Visakhapatnam.
2. The Superintendent, Central Prison, Rajamahendravaram, East Godavari District.
3. The Station House Officer, Gajuwaka Police Station, Visakhapatnam Commissionerate.
4. One CC to Sri Kakumanu Joji Amrutha Raju, Advocate [OPUC]
5. Two CCs to Public Prosecutor (AP) High Court of Andhra Pradesh [OUT]
6. **One spare copy**

HIGH COURT



Dr.VJP,J

DATED:17/03/2025

BAIL ORDER

CRLP.No.2454 of 2025

ALLOWED

