

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: 2506 OF 2025

Between:

Kakara Prasad @ Pichuka, S/o. Raju, aged about 23 Years, Door No.21- 43-10/1, Kakara Street, Near AVN College, Visakhapatnam.

...Petitioner/Sole Accused

AND

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

...Respondent/Complainant

Petition under Section 482 of Cr.P.C. / 483(1) r/w 528 BNSS 2023 is filed 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 relax/modification the bail conditions imposed by The Learned - I Additional District & Sessions Judge - Special Judge for Trial of Offences Under NDPS



Act: Visakhapatnam, in so far as to petitioner/sole accused pleased- to modify the order passed by the I Additional District Sessions Judge Special Judge for Trial of Offences under NDPS Act Visakhapatnam in CrI.MP.No. 3327/2025 in Crime No. 224/2024 of I Town Police Station Visakhapatnam dated 19-02-2025 by considering the poverty situation and health condition of the Petitioner/Sole Accused and permit the Petitioner/ Sole Accused to deposit the surety bond amount of Rs. 10,000/ with one surety instead of Rs. 50,000/ and release the Petitioner/ Sole Accused on bail in Crime No. 224 of 2024 of I Town Police Station, Visakhapatnam".

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 KAKUMANU JOJI AMRUTHA RAJU Advocate for the Petitioner, and of PUBLIC PROSECUTOR for the Respondent, and the Court made the following.

ORDER:



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

[3396]

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

PRESENT

THE HONOURABLE SMT DR JUSTICE VENKATA JYOTHIRMAI PRATAPA
CRIMINAL PETITION NO: 2506/2025

Between:

Kakara Prasad @ Pichuka

...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 has been filed by the petitioner herein, seeking modification of the conditions in the order vide CrI.M.P.No.3327 of 2025 dated 19.02.2025 on the file of the learned I Additional District & Sessions Judge-Special Judge for Trial of Offences under NDPS Act, Visakapatnam.

2. Originally, the petitioner herein has filed petition for grant of regular bail in Crime No.224 of 2024 of I Town Police Station. By an order, dated 19.02.2025, the learned I Additional District & Sessions Judge-Special Judge for Trial of Offences under NDPS Act, Visakapatnam allowed the said petition by imposing certain conditions. Aggrieved by the said conditions imposed by the learned Sessions Judge, the present Criminal Petition is preferred by the petitioner to modify the conditions imposed while granting bail.

3. It is submitted that despite grant of bail by the learned Sessions Judge, Visakhapatnam in CrI.M.P.No.3327 of 2025, petitioner could not furnish sureties for Rs.50,000/- with two sureties to the satisfaction of the Court of Chief Judicial Magistrate, Visakhapatnam. He further contends

that the petitioner is eking out his livelihood by doing cooli work and living below the poverty line. Due to the said reasons, the petitioner is unable to deposit the surety bond amount of Rs.50,000/-. In the said facts of the case, petitioner requests to consider his case on humanitarian grounds.

4. Learned Assistant Public Prosecutor would submit that the Court may pass appropriate orders.

5. In view of the aforesaid facts and circumstances of the case, this Court is inclined to modify the conditions.

6. In the result, the Criminal Petition is allowed and the petitioner shall be released on bail on his executing of personal bond for Rs.20,000/- (Rupees twenty thousand only) with two sureties for the like sum each to the satisfaction of the Court of Chief Judicial Magistrate, Visakhapatnam. This Court make it clear that the other conditions imposed by the Court below shall remain same.

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

//TRUE COP

SD/- K.SRINIVASA RAJU
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Superintendent, District Jail, Visakhapatnam.
2. The Station House Officer, I Town Police Station, Visakhapatnam.
3. The I Additional District Sessions Judge Special Judge for Trial of Offences under NDPS Act Visakhapatnam.
4. One CC to SRI. KAKUMANU JOJI AMRUTHA RAJU, Advocate [OPUC]
5. Two CCs to PUBLIC PROSECUTOR, High Court of Andhra Pradesh.
[OUT]
6. One spare copy

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HIGH COURT

DRVJPJ

DATED:17/03/2025

ORDER

CRLP.No.2506 of 2025

ALLOWED

