

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

TUESDAY, THE EIGHTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE



PRESENT

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL PETITION NO: 2575 OF 2025

Between:

1. Kaki Pavan, s/o SrinivasaRao @ Narayana, age 26years, C/SC Relli, Nidadavole, East Godavari District.
2. Elicherla Miton Das @ Bengal Raju, s/o Krishna, age 34 years, C/Kamsali, r/o Nidadavole, East Godavari District.
3. Dondapati Gangadhar, s/o Venkata Ratnam @Yesu, C/SC-Mala, age 25 years, r/o Devarapalli Village and Mandal.
4. Koppaka Akhil Kumar @Anil Kumar, s/o Madhu kumar, 20 years, C/SC-Mala, Devarapalli Village and Mandal, East Godavari District.

...PETITIONER/ACCUSED Nos. 7,8,9 &11

AND

The State of AP, represented by the Public Prosecutor for High Court of A.P through Station House Officer, Nidadavole PS, East Godavari District

...RESPONDENT/COMPLAINANTS

Petition under Section 480 & 483 of BNSS., praying that in the Circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be Pleased to enlarge the Petitioners / accused Nos. 7, 8, 9 and 11 on Regular Bail in Crime No 04 of 2025 of Nidadavole Police

Station, on the file of I Addl. District and Sessions Judge, Eluru and release the Petitioners / accused Nos. 7, 8, 9 and 11 on such terms and conditions

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri TORATI SHANMUKHA PRASANNA ,Advocate for the Petitioner and the Public Prosecutor (AP) on behalf of the Respondent No. and of Sri_Advocate for the Respondent No.

The Court made the following:ORDER



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

[3396]

**TUESDAY, THE EIGHTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE**

**PRESENT
THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA**

CRIMINAL PETITION NO: 2575 OF 2025

Between:

Kaki Pavan and Others

...PETITIONER/ACCUSED(S)

AND

The State Of Ap

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused(S):

1.TORATI SHANMUKHA PRASANNA

Counsel for the Respondent/complainant:

1.PUBLIC PROSECUTOR

The Court made the following Order:

This Criminal Petition, under Sections 480 and 483 of the BNSS, has been filed by the petitioners herein, seeking regular bail, in Crime No.4 of 2025 of Nidadavole Town Police Station, East Godavari District, registered for the offences punishable under Sections 8(c) read with 20(b)(ii)(C) of the NDPS, Act.

2. Brief facts of the case are that, on 10.01.2025, on credible information about illegal possession and transportation of Ganja, the SI along with his staff and mediators rushed to TIDCO Houses near Teerugudem, Nidadavole town. They found group of persons trying to flee from the area along with bags, upon seeing the police. Then police

apprehended them and on interrogation, they disclosed their identity particulars as that of A1 to A11. Police found 21.965 KGs of ganja in their possession. Police seized the contraband, arrested the accused and got them remanded to judicial custody on 10.01.2025 itself and since then they are in judicial custody.

3. Heard. Perused the record.

4. Learned counsel for the petitioners would submit that the petitioners have been in judicial custody since 10.01.2025, by this time most of the investigation might have been completed. Petitioners are ready to furnish sureties to the satisfaction of the Court. Accordingly, prays to allow the Criminal Petition.

5. Learned Public Prosecutor for the State opposed for granting of bail to the petitioners on the ground that investigation is not completed and the contraband seized from the possession of the petitioners is 21.965 KGs, which falls under the definition of commercial quantity. As such, prayed to dismiss the Criminal Petition.

6. Considering the submissions made and on perusal of the material on record, the quantity of contraband involved in present crime is 21.965 KGs of Ganja. The petitioners herein were arrested on 10.01.2025 and for more than 68 days they are in judicial custody. When ascertained, learned Assistant Public Prosecutor submits that the case is still under investigation. In the light of the bar contained in Section 37 of the NDPS

Act, nothing has been placed on record to probablize the version of the petitioners. Since investigation is not completed, statutory period is also not over, this Court is not inclined to release the petitioners on bail.

7. Accordingly, the Criminal Petition is **dismissed**.

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

Sd/-SHAIK MOHD RAFI
ASSISTANT REGISTRAR

//TRUE COPY//

NB
SECTION OFFICER

To,

1. The I Addl. District and Sessions Judge, , West Godavari, Eluru
2. The Station House Officer, Nidadavole Twon Police Station, East Godavari District.
3. One CC to SRI. TORATI SHANMUKHA PRASANNA, Advocate
[OPUC]
4. Two CCs to the Public Prosecutor High Court of A.P Amaravati [OPUC]
5. Three CD Copies

SD

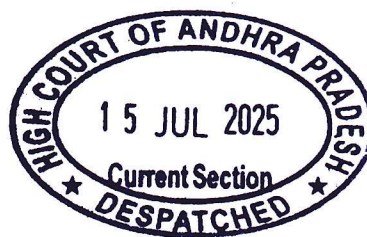
HIGH COURT

SD

DATED:18/03/2025

ORDER

CRLP.No.2575 of 2025



DISMISSING THE CRIMINAL PETITION