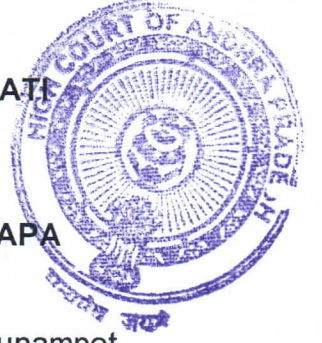


IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
TUESDAY, THE EIGHTEENTH DAY OF MARCH,
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA
CRIMINAL PETITION NO: 2577 OF 2025



Between:

Vinoth Das, S/o. Das, aged about 31 years, R/o. Othavadai Street, Chunampet
Village, Cheyyur Mandal, Kancheepuram, Tamil Nadu State

...Petitioner/Accused No.1

AND

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

...Respondent

Petition under Section 439(1) of Cr.P.C and Section 483(1) of BNSS, 2023 is filed praying that in the circumstances stated in memorandum of grounds of Criminal Petition, the High Court may be pleased to modify the order passed by the I Addl. District & Sessions Judge - Special Judge for Trial of Offences under NDPS Act, Visakhapatnam in CrI.M.P.No.1191/2024 in Cr.No.95/2023 dated 01.08.2024 by considering the situation of the Petitioner/Accused No.1 as "petitioner/A1 to be released on bail on executing a self bond for Rs.10,000/- (Rupees Ten Thousand only) with single surety for a like sum to the satisfaction of Hon'ble I Addl. District & Sessions Judge - Special Judge for Trial of Offences under NDPS Act, Visakhapatnam" instead of "petitioner/A1 to be released on bail on executing a self bond for Rs.50,000/- (Rupees Fifty Thousand only) with two sureties for a like sum each to the satisfaction of Addl. Judicial Magistrate of First Class, Chodavaram, now Anakapalli District and permit the Petitioner/Accused No.1 to deposit the surety bond amount of Rs. 10,000/- with single surety instead of Rs.50,000/- with two sureties;

The petition coming on for hearing, upon perusing the Petition and memorandum of grounds of criminal petition and upon hearing the arguments of Sri Gollapalli Maheswara Rao, Advocate for the Petitioner and Public Prosecutor for the Respondent;



**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: 2577 OF 2025

Between:

Vinoth Das

...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 Order:

This Criminal Petition under Section 483 and 484 of the B.N.S.S., has been filed by the petitioner/A1, seeking modification of the conditions in the bail order *vide* CrI.M.P.No.1191/2024 dated 01.08.2024 on the file learned I Additional District & Sessions Judge-Special Judge for Trial of Offences under NDPS Act, Visakhapatnam and permit the petitioner to execute a self bond for Rs.10,000/- with single surety.

2. The above said crime was registered against the petitioner/A1 herein and others in Cr.No.95/2023 of Kothakota Police Station for the offence punishable under Sections 20(b)(ii)(C) read with 8(c) of NDPS Act, 1985.

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

4. Learned counsel for the petitioner would submit that the petitioner has been in judicial custody since 08.11.2023 despite the bail granted to the petitioner on the following conditions:

"In the result, the petition is allowed and the petitioner/A1 is ordered to be released on bail on his execution of personal bond for Rs.50,000/- with two sureties for like sum each to the satisfaction of the Court of Additional Judicial Magistrate of First Class, Chodavaram and on such release, the petitioners/A1 shall appear before the Station House Officer, Kothakota Police Station twice in a month i.e., 1st day and 15th day between 10:00 AM and 11:00 AM for a period of one year. In case the petitioner/A1 failed to comply the condition imposed by this Court, the Station House Officer, Kothakota Police Station shall inform the non-compliance of the condition to this Court without fail."

5. Learned counsel for the petitioner would submit that the petitioner is a poor person, he could not comply the conditions. As such, he has been in judicial custody since 08.11.2023. Learned counsel for the petitioner would submit that conditions may be modified by reducing the surety amount and in

the said facts of the case, learned counsel for the petitioner requests to consider his case on humanitarian grounds.

6. Learned Assistant Public Prosecutor would submit that this Court may pass appropriate orders.

7. Considering the submissions made and on perusal of the record, it is a case where petitioner was in possession of 21 Kgs of Ganja. Despite petitioner was granted bail, he could not furnish the sureties to the satisfaction of the Court. Hence, this Court is inclined to relax the condition passed by the Sessions Court from Rs.50,000/- to Rs.20,000/- with two sureties.

8. Accordingly, the criminal petition is partly allowed directing the petitioner to be released on bail on his execution of self bond for Rs.20,000/- (Rupees twenty thousand only) with two sureties for like sum to the satisfaction of the Court of learned Additional Judicial Magistrate of First Class, Chodavaram. It is hereby made clear that the release of the petitioner/A1 on his execution of self bond for Rs.20,000/- (Rupees twenty thousand only) with two sureties for a like sum, is only modified. The remaining conditions imposed against the petitioner/A1 shall remain unaltered.

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

//TRUE COPY//

SD/-SK MD RAFI
ASSISTANT REGISTRAR
SECTION OFFICER

For ASSISTANT REGISTRAR

To,

1. The Addl. Judicial Magistrate of First Class, Chodavaram, now Anakapalli District
2. The Superintendent, Central Jail, Visakhapatnam.
3. One CC to Sri. Gollapalli Maheswara Rao, Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court of AP [OUT]
5. One spare copy

MM

HIGH COURT

VJP,J

DATED:18/03/2025

ORDER

CRLP.No.2577 of 2025

PARTLY ALLOWED

