

[3396]

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

FRIDAY, THE EIGHTH DAY OF MAY,

TWO THOUSAND AND TWENTY SIX



:PRESENT:

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL PETITION NO: 3811 OF 2026

Between:

Ponnada Prasanth Babu @ Babu, S/o Late Nooka Raju, Aged about 36 years, Occ: Driver, R/o D.No.6-146 (6-177/1/1), Padmanabha Nagar, Venkatapuram, Gopalapatnam, Visakhapatnam City.

Petitioner/Accused

AND

The State of Andhra Pradesh, Rep. by its Public Prosecutor, High Court of A.P., Amaravati, (Through SHO, Gopalapatnam Police Station, Visakhapatnam City.)

Respondent

Petition under Section 480 & 483 of BNSS., is filed praying that in the circumstances stated in the grounds filed in support of the petition, the High Court may be pleased to enlarge the petitioner/Accused on bail in Crime No.56 of 2026 on the file of Gopalapatnam Police Station, Visakhapatnam City, on such terms and conditions as this Hon'ble Court may deem fit and proper in the interest of justice.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri. BASIREDDY GARI SOMANATHESWARA REDDY, Advocate for the Petitioner and of PUBLIC PROSECUTOR for the Respondent;

The Court made the following:

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL PETITION NO: 3811/2026

ORDER:

This Criminal Petition, under Sections 480 and 483 of the BNSS, has been filed by the petitioner/Accused, seeking regular bail, in Crime No.56 of 2026 of Gopalapatnam Police Station, registered for the offences punishable under Sections 20(b)(ii)(B) r/w 8(C) of Narcotic Drugs and Psychotropic Substances Act (for short "NDPS Act").

2. As per case of prosecution, this petitioner was found in possession of 1.900 kgs of ganja.

3. Heard Ms. Basireddy Gari Somanatheswara Reddy, learned counsel for the petitioner and Ms.K.Priyanka Lakshmi, learned Assistant Public Prosecutor representing on behalf of the State.

4. Learned counsel for the petitioner would submit that the petitioner has been falsely implicated in this crime and that he is in no way connected with the commission of the offence. The petitioner has been in judicial custody since 07.03.2026. The contraband involved in the present crime is 1.900 Kgs of Ganja, which is a non-commercial quantity. It is further submitted that the statutory period is over and no report has been filed by the prosecution before the Special Court till this day. Learned counsel further submits that the petitioner undertakes to strictly adhere to any conditions that may be imposed by this Court.

5. Learned Assistant Public Prosecutor representing on behalf of the State vehemently opposed the petition and contended that the investigation has not yet completed and the contraband involved in the present case is 1.900 Kgs of Ganja.

6. Considering the submissions and upon keen perusal of the material placed on record and in the light of the facts and circumstances of the case, that the petitioners have been in judicial custody since 07.03.2026, the fact that the contraband involved in the present crime is only 1.900 Kgs of Ganja, that the statutory period is over and no report has been filed before the Special Court by the prosecution, this Court is inclined to enlarge the petitioner/accused on bail with the following conditions;

- i. The petitioner/accused shall execute 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 & Sessions Judge –cum – Special Judge for Trial of offences under NDPS Act, Vishakapatnam
- ii. The petitioner/accused shall appear before the Investigating Officer as and when required and shall cooperate with further investigation, if any.
- iii. The petitioner/accused shall not directly or indirectly tamper with evidence nor influence, intimidate, or induce any prosecution witness.

- iv. The petitioner/accused shall appear before the Station House Officer, concerned, once in a week i.e., on every Saturday between 10.00 a.m. and 5.00 p.m. till further orders.
 - v. The petitioner/accused shall not commit or indulge in commission of any offence in future.
 - vi. The petitioner/accused shall surrender his passport, if any, to the concerned Court. If he claims that he does not have a passport, he shall submit an affidavit to that effect to the concerned Court.
7. In the event of violation of any of the above conditions, the prosecution shall be at liberty to seek cancellation of bail.
8. It is also made clear that the observations made in this order are only for the purpose of deciding the bail application and they shall not be construed as opinion on the merits of the Crime.
9. Accordingly, this Criminal Petition is allowed.

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

//TRUE COPY//

SD/- U.SRIDEVI
DEPUTY REGISTRAR
SECTION OFFICER

To,

1. The I Additional District & Sessions Judge-cum-Special Judge for Trial of Offences under NDPS Act, Visakhapatnam.
2. The Superintendent, Central Jail, Visakhapatnam.
3. The Station House Officer, Gopalapatnam Police Station, Visakhapatnam City.
4. One CC to Sri. BASIREDDY GARI SOMANATHESWARA REDDY Advocate [OPUC]
5. Two CCs to the PUBLIC PROSECUTOR, High Court of Andhra Pradesh, Amaravati. [OUT]
6. **One spare copy**

JSS

HIGH COURT

DR.VJP, J

DATED:08/05/2026

BAIL ORDER

CRLP.No.3811 of 2026

ALLOWED

