

[3396]

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

TUESDAY ,THE FIFTH DAY OF MAY

TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL PETITION NO: 3898 OF 2026



Between:

Jalli Jagadiswara Rao alias Jagadeesh, S/o. Kameswara Rao, Eswara Rao, aged about 21 years, R/o. Vanajajula Village, Tajangi Panchayat, Chinthapalli Mandal, Alluri Sitharama Raju District, presently residing at Butchiregupalem, NAD, Visakhapatnam, Visakhapatnam District, A.P.

Petitioner/Accused No.1

AND

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

Respondent

COUNSEL FOR THE PETITIONER/ACCUSED : GOLLAPALLI MAHESWARA RAO

COUNSEL FOR THE RESPONDENT/COMPLAINANT : PUBLIC PROSECUTOR

Petition under Section 437 & 439 of Cr.P.C and under Sec 480 & 483 of B.N.S.S praying that in the circumstances stated in the affidavit filed in support of the Criminal Petition, the High Court may be pleased to enlarge the Petitioner/Accused No.1 on bail pending disposal of Crime No.62/2025 of Narsipatnam Town P.S., Anakapalli District.

ORDER

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA
CRIMINAL PETITION NO: 3898/2026

ORDER:

This Criminal Petition, under Sections 480 and 483 of the BNSS, has been filed by the Petitioner herein/Accused No.1, seeking regular bail, in connection with Crime No.62/2025 on the file of Narsipatnam Town Police Station, Anakapalle District, registered for the offences punishable under Sections 20(b)(ii)(C) r/w 8(C) of Narcotic Drugs and Psychotropic Substances Act (for short "NDPS Act").

2. A Case has been registered against the petitioner and others for the offence punishable under sections 20(b)(ii)(C) r/w 8(C) of the NDPS Act.
3. Heard learned counsel for the petitioner and learned Assistant Public Prosecutor representing the respondent/State.
4. Case of prosecution, in brief is that, on 22.03.2025 at 8.00 a.m., on receipt of credible information, regarding illegal possession and transportation of ganja, the S.I. of Police, along with staff and mediators rushed to APR School, Peddaboddepalli and conducted vehicle checking. At that time, one auto bearing registration No.AP31 TF 3892 was coming towards them and on seeking the police, the inmates in the auto, who are three in number, stopped the auto and tried to escape. Then police apprehended A.2 to A.5 and seized ganja from their possession, this petitioner escaped from the place of seizure. Subsequently, police arrested this petitioner on 01.09.2025.

5. Perused the record.

6. Learned counsel for the petitioner would submit that the petitioner is innocent person and he has not committed any offence as alleged by the prosecution. It is further submitted that the petitioner is falsely implicated by police in this crime basing on the confession statement of other accused, who were found to be in possession of 100 Kgs of Ganja. Learned counsel for the petitioner would further submit that the petitioner was arrested on 01.09.2025, since then he has been in judicial custody. Learned counsel for the Petitioner would submit that the Accused No.5 was already enlarged on bail in this crime by the Co-ordinate Bench of this Court vide Order dated 09.07.2025 in CrI.P.No.6633 of 2026 and the Petitioner/Accused No.1 is also on the same footing as of Accused No.5 and Accused No.5 was already enlarged on bail in this crime, as such, prayed to allow the criminal petition.

5. Learned Assistant Public Prosecutor on behalf of the State vehemently opposed the petition and contended that the charge-sheet was filed on 12.03.2026. As such, the petitioner cannot claim the statutory bail. Learned Assistant Public Prosecutor would further submit that if the petitioner is released on bail at this stage, there is a strong likelihood he may abscond, thereby hampering the ongoing investigation and evading the process of law. In view of the foregoing, it is urged that the petition be dismissed.

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 petitioner has been in judicial custody since 01.09.2025, the fact that the contraband involved in the present crime is only 100 of Ganja of Ganja, this Court is inclined to enlarge the petitioner/accused No.1 on bail with the following conditions;

- i. The petitioner/accused No.1, shall execute personal bond for a sum of Rs. 20,000/- (Rupees Twenty Thousand only) each with two sureties for a like sum each, to the satisfaction of the learned I Additional District and Sessions Judge-Special Judge for Trial of Offences under NDPS Act, Visakhapatnam, Visakhapatnam District
- ii. The petitioner/accused No.1, shall appear before the Investigating Officer as and when required and shall cooperate with further investigation, if any.
- iii. The petitioner/accused No.1, shall not directly or indirectly tamper with evidence nor influence, intimidate, or induce any prosecution witness.
- iv. The petitioner/accused No.1, shall appear before the Station House Officer, concerned, once in a week i.e., on every Sunday between 10.00 a.m. and 5.00 p.m. till the court has taken cognizance .
- v. The petitioner/accused No.1, shall not commit or indulge in commission of any offence in future.

vi. The petitioner/accused No.1, 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.

SD/- T. SRINIVASA RAO
ASSISTANT REGISTRAR

//TRUE COPY//

For


SECTION OFFICER

To,

1. The I Additional District & Sessions Judge-Spl. Judge for Trial of Offences under NDPS Act, Visakhapatnam, Visakhapatnam District.
2. The Superintendent of Central Jail, Visakhapatnam District.
3. The Station House Officer, Narsipatnam Town, Police Station, Anakapalli District.
4. One CC to SRI. GOLLAPALLI MAHESWARA RAO Advocate [OPUC]
5. Two CCs to PUBLIC PROSECUTOR, High Court of Andhra Pradesh [OUT]
6. One spare copy

HIGH COURT

DR.VJP, J

DATED:05/05/2026

BAIL

CRLP.No.3898 of 2026

ALLOWED

