



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

[3520]

THURSDAY, THE ELEVENTH DAY OF JUNE
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE A. HARI HARANADHA SARMA

CRIMINAL PETITION NO: 4658/2026

Between:

1. SHAIK MASTAN, S/O. KHADARVALLI, AGED ABOUT 20 YEARS, R/O. D. NO. 13-81, ITC POINT, ARILOVA, VISAKHAPATNAM, VISAKHAPATNAM DISTRICT, A.P.
2. TIRUMALA RAGHAYARAJU ALIAS TINKU, S/O. LATE CHIRANJEEVI, AGED ABOUT 32 YEARS, R/O. D. NO. 14-12, BALAJI NAGAR, ARILOVA, VISAKHAPATNAM, VISAKHAPATNAM DISTRICT, A.P.

...PETITIONER/ACCUSED(S)

AND

1. THE STATE OF ANDHRA PRADESH, Rep by its Public Prosecutor, High Court of Andhra Pradesh at Amaravati.

...RESPONDENT/COMPLAINANT

Petition under Section 437/438/439/482 of Cr.P.C and 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court pleased to enlarge the Petitioners/Accused No.1, 2 on bail pending disposal of Crime No.94/2026 of Arilova P.S., Visakhapatnam District and to pass

Counsel for the Petitioner/accused(S):

1. BALABHADRUNI MANOHAR

Counsel for the Respondent/complainant:

1. PUBLIC PROSECUTOR

THE HONOURABLE SRI JUSTICE A. HARI HARANADHA SARMA**CRIMINAL PETITION NO: 4658/2026****The Court made the following Order:**

The Criminal Petition has been filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity 'the BNSS'), seeking to enlarge the Petitioners/Accused Nos.1 and 2 on bail in Crime No. 94/2026 of Arilova Police Station, Visakhapatnam District, registered for the offence punishable under Section 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity, "the NDPS Act").

2. Heard Sri Balabhadruni Manohar, learned Counsel for the petitioners/Accused Nos.1 and 2 and learned Assistant Public Prosecutor representing the respondent-State.

3. Case of the prosecution, in brief, is that on 09.04.2026 at about 17.30 p.m, at the VIMS Hospital back side of Bushes, Arilova, Visakhapatnam, the petitioners were found in possession of 6.255 KGs of Ganja and were caught red-handed and they were remanded to judicial custody on 09.04.2026 and since then they are in jail.

4. Learned counsel for the petitioners would submit that the petitioners were in judicial custody beyond the statutory period and the contraband seized is non-commercial quantity, hence they deserves grant of bail.

5. Learned Assistant Public Prosecutor would submit that the learned I Additional District and Sessions Judge-Special Judge for Trial of Offences

under NDPS Act, Visakhapatnam having found that there are criminal antecedents against the petitioners rejected bail.

6. Answering the same, the learned counsel for the petitioners would submit that they would not pertain to NDPS and they are IPC cases.

7. Upon considering the above factual scenario, the prayer of petitioners for grant of bail found convincing, however, on the following conditions.

i. The Petitioners/Accused Nos.1 and 2 shall be enlarged on bail on each of them executing bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only), with two sureties for the 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.

ii. The petitioners/Accused Nos.1 and 2 shall appear before the Station House Officer concerned on the first Monday of every month until filing of the charge sheet.

iii. The Petitioners/Accused Nos.1 and 2 shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the prosecution evidence.

iv. The Petitioners/Accused Nos.1 and 2 shall not indulge in similar acts of crime.

v. The Petitioners/Accused Nos.1 and 2 and their sureties shall furnish their permanent residential address details and identity particulars to the

concerned police and keep the Police informed about the change in address, if any, time to time.

vi. The Petitioners/Accused Nos.1 and 2 shall furnish details of their passports, if any, along with copies thereof. The police are at liberty to monitor the travel of the petitioners and, if necessary, move appropriate applications before the competent authority for impounding the passports in accordance with law.

vii. The Petitioners/Accused Nos.1 and 2 shall not interfere with the investigation and scrupulously comply with the above conditions.

7. Accordingly, the Criminal Petition is allowed.

JUSTICE A. HARI HARANADHA SARMA

Date: 11.06.2026
KKV/KSJ

THE HONOURABLE SRI JUSTICE A. HARI HARANADHA SARMA

CRIMINAL PETITION NO: 4658/2026

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