



**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: 4662/2026

Between:

1. PEYYAPILLI PRASAD, S/O. LATE VARGEESH, AGED ABOUT 44 YEARS, R/O. D. NO.5-45, S.C. COLONY, NEAR MPUP SCHOOL, VELLANKI VILLAGE, ANANDAPURAM MANDAL, VISAKHAPATNAM DISTRICT, PRESENTLY RESIDING ATRAMABHADRAPURAM VILLAGE AND MANDAL, PARVATHIPURAM MANYAM D

...PETITIONER/ACCUSED

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 Petitioner/Accused on bail pending disposal of Crime No.94/2026 of Anandapuram P.S., Visakhapatnam District and to pass

Counsel for the Petitioner/accused:

1. GOLLAPALLI MAHESWARA RAO

Counsel for the Respondent/complainant:

1. PUBLIC PROSECUTOR

THE HONOURABLE SRI JUSTICE A. HARI HARANADHA SARMA**CRIMINAL PETITION NO: 4662/2026****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 Petitioner/Accused on bail in Crime No.94 of 2026 of Anandapuram Police Station, Visakhapatnam Commissionerate, 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 G. Maheswara Rao, learned Counsel for the petitioner and learned Assistant Public Prosecutor representing the respondent-State.

3. The case of the prosecution, in brief, is that on 07.04.2026 at about 11:15 a.m., at the outskirts of Vellanki Village of Anandapuram Mandal, the petitioner was found in possession and transporting 4.90 KGs of ganja. The petitioner was arrested and remanded to judicial custody on 07.04.2026 and, since then, he has been in jail.

4. Learned counsel for the petitioner would submit that the seizure of ganja is not proper and that no charge-sheet has been filed so far. The petitioner has been in jail beyond the statutory period of 60 days and the quantity of ganja allegedly seized is 4.90 KGs, which is a non-commercial quantity. Therefore, the petitioner, who has been in judicial custody, is entitled to be released on bail.

5. Learned Assistant Public Prosecutor conceded the non-filing of the charge-sheet and further submitted that the petitioner is involved in several other cases.

6. Answering the same, learned counsel for the petitioner submitted that, except for two cases, all the other cases are IPC offences and that the petitioner was implicated in those cases. The petitioner was granted bail in the other cases and the same does not come in the way of the petitioner's entitlement to the grant of statutory bail.

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

i. The Petitioner/Accused 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 Petitioner/Accused shall appear before the Station House Officer concerned on the first Monday of every month until filing of the charge sheet.

iii. The Petitioner/Accused 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 Petitioner/Accused shall not leave the jurisdiction concerned without prior permission of the Court, if so directed by the trial Court.

v. The Petitioner/Accused shall not indulge in similar acts of crime.

vi. The Petitioner/Accused and his 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.

vii. The Petitioner/Accused shall furnish details of his passport, if any, along with copies thereof. The police are at liberty to monitor the travel of the petitioner and, if necessary, move appropriate application before the competent authority for impounding the passport in accordance with law.

viii. The Petitioner/Accused 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: 4662/2026

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