



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

[3521]

MONDAY, THE TWENTY SEVENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 6661/2025

Between:

Kampa Jesus Kumar

...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:

Criminal Petition has been filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023¹ seeking to enlarge the Petitioner/Accused No.2 on bail in Crime No.212 of 2025 of Pendurthy Police Station, Visakhapatnam, registered against the Petitioner/Accused No.2 herein for the offence punishable under Section 8(c) read with Section 20(b)(ii)(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985² on the allegation of Petitioner/Accused No.2 was allegedly indulged in dealing with 2 Kgs of Hash Oil.

¹ the BNSS

² the NDPS Act

2. Heard the learned counsel for the petitioner and the learned Assistant Public Prosecutor. Perused the record.

3. The allegation against the Petitioner/Accused No.2 is that on 26.04.2025 he was found in possession of 2 Kgs of Hash Oil. It is a commercial quantity. The petitioner was arrested on 26.04.2025. He has been in the judicial custody for the past 184 days. The petitioner is a permanent resident of Police Quarters, Behind Medical College, Chuttugunta, Guntur, Guntur District. He has got fixed abode. If the petitioner is enlarged on bail he may not escape from the clutches of law.

4. The learned Assistant Public Prosecutor submits that report was filed before the learned Court below by the learned Public Prosecutor concerned seeking for extension of period of judicial custody of the petitioner upto one year by indicating the progress of investigation and the specific reasons for the detention of the accused beyond the initial period, but that extension petition was dismissed on 24.10.2025.

5. Section 36A(4) of 'the NDPS Act' states that if the investigation is not completed within 180 days, the Petitioner/Accused No.2 has an indefeasible right to bail, unless the Special Court extends the period up to one year on the report of the Public Prosecutor, indicating the progress of the investigation and specific reasons for the detention of the accused beyond the initial period.

6. Considering the facts and circumstances of the case, the nature and gravity of the allegations levelled against the Petitioner/Accused No.2, this Court is inclined to enlarge the Petitioner/Accused No.2 on bail.

7. In the result, the Criminal Petition is allowed with the following stringent conditions:

i. The Petitioner/Accused No.2 shall be enlarged on bail subject to he executing a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand Only) with two sureties for the like sum each to the satisfaction of the learned VII Additional Judicial Magistrate of I Class, Visakhapatnam.

ii. The Petitioner/Accused No.2 shall appear before the Station House Officer concerned, on every Saturday in between 10:00 am and 05:00 pm, till cognizance is taken by the learned the Trial Court.

iii. The Petitioner/Accused No.2 shall not leave the limits of the State of Andhra Pradesh without prior permission from the Station House Officer concerned.

iv. The Petitioner/Accused No.2 shall not commit or indulge in commission of any offence in future.

v. The Petitioner/Accused No.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/her from disclosing such facts to the court or to any police officer.

vi. The Petitioner/Accused No.2 shall surrender his passport, if any, to the investigating officer. If he claims that he does not have a passport, he shall submit affidavits to that effect to the Investigating Officer.

DR. Y. LAKSHMANA RAO, J

Date: 27.10.2025

KMS

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 6661 OF 2025

27.10.2025

KMS