

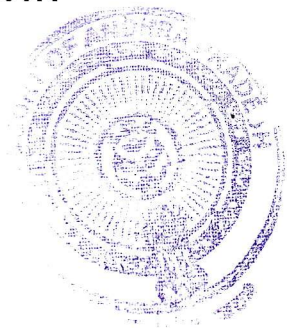
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

**WEDNESDAY, THE TWENTIETH DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE**

:PRESENT:

HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 8440 OF 2025



Between:

Chekuri Akshay @ Munna, S/o. Chekuri Anjani Kumar Varma, Aged 34 years, R/o. Flat No.8, Padmini Apartment, APSEB Colony, Seethammadhara, Visakhapatnam City

**Petitioner/
Accused NO.1**

AND

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

... Respondent

Petition under Sections 437 & 439 of Cr.P.C is filed, 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 herein/A1 on bail in connection with Crime No.141 of 2025 dated 05.07.2025 of III Town Police Station, Visakhapatnam Commissionerate.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI GINJUPALLI SUBBA RAO Advocate for the Petitioner, Assistant Public Prosecutor for the respondent and the Court made the following.

ORDER

ORDER:

This Criminal Petition has been filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking to enlarge the petitioner-accused No. 1 on bail in crime No. 141 of 2025 of III Town Police Station, Visakhapatnam Commissionerate, registered for the offences punishable under Section 111 (2) of Bharatiya Nyaya Sanhita, 2023, and Sections 20 (b) and 21 (b) read with Section 8 (c) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Case of the prosecution is that on 05-07-2025 at 3.45 hours, the Sub Inspector of Police received a reliable tip-off from the Eagle Team about the illegal transportation of Narcotic Drugs and Psychotropic Substances. He immediately proceeded to the spot along with his staff to apprehend the drug pedelers and mediators. Upon reaching the said location, they took one person into custody and questioned him about the source of the drugs. He confessed that he addicted to vices such as smoking, consuming alcohol, and using cocaine, and that he used to buy drugs from accused No. 2. He further stated that he later got acquainted with one Prince from Delhi. As usual, four days ago, he made a WhatsApp call to the said Prince and requested him to send 25 grams of cocaine. Accordingly, Prince sent a South African National named Thomas Djimon, who usually brought the drugs to the said location from New Delhi. On this occasion, he brought 25 grams of cocaine for Rs.3,60,000/-. The Sub-Inspector of

Police then searched the accused and seized 7 packets containing 25 grams of cocaine Rs.3,60,000/-, one car, three mobile phones, and one iPhone 11 from his possession for the purpose of investigation.

3. Sri G.Subba Rao, learned counsel for the petitioner, contends that the petitioner is innocent of the alleged offence and has been falsely implicated by the police and no contraband was seized from the possession of the petitioner. It is further submitted that the petitioner is the sole earning member of the family and, therefore, his continued incarceration would cause undue hardship to his dependents. The petitioner undertakes to strictly adhere to any conditions that may be imposed by this Court. In light of the foregoing, learned counsel prays that the present petition be allowed in the interest of justice.

4. *Per contra*, Ms. Akhila Naidu, learned Assistant Public Prosecutor, vehemently opposed the grant of bail to the petitioner, submitting that the investigation is still underway and several material witnesses remain to be examined. It is contended that if the petitioner is released on bail at this stage, there is a strong likelihood that 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.

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

6. As seen from the record, the petitioner-accused No. 1 was arrested on 05-07-2025. It is the allegation that the petitioner received 25 Grams of

cocaine from accused No. 2. The contraband is not a commercial quantity. Learned Assistant Public Prosecutor submits that the source of this 25 Grams of cocaine is to be established. However, learned Assistant Public Prosecutor submits that there are no adverse antecedents against the petitioner. Learned counsel for the petitioner submits that the petitioner is at the most consumer. The petitioner has been in judicial custody for the past 47 days. This Court, by order dated 06-08-2025 in Criminal Petition No. 7855 of 2025, has already enlarged accused No. 3 on bail with certain stringent conditions. The role of the present petitioner and accused No. 3 is more or less similar. The principle of parity requires that the petitioner be given the same relief as was granted to accused No. 3.

7. Considering the facts and circumstances of the case and the nature and gravity of the allegations levelled against the petitioner-accused No. 1 and his period of judicial detention, this Court is inclined to enlarge the petitioner-accused No. 1 on bail with the following stringent conditions:

- (i) The petitioner-accused No. 1 shall be enlarged on bail subject to his executing a bond for a sum of Rs.1,00,000/- (Rupees One Lakh only) with two sureties for the like sum each to the satisfaction of learned IV Additional Chief Judicial Magistrate, Visakhapatnam;

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- (ii) The petitioner-accused No. 1 shall appear before the Station House Officer concerned on every Saturday in between 10 a.m. and 5 p.m. till cognizance is taken by the learned the Trial Court;
 - (iii) The petitioner-accused No. 1 shall not leave the limits of the district without prior permission from the investigating officer;
 - (iv) The petitioner-accused No. 1 shall not commit or indulge in commission of any offence in future;
 - (v) The petitioner-accused No. 1 shall cooperate with the investigating officer in further investigation of the case and shall make himself available for interrogation by the investigating officer as and when required;
 - (vi) The petitioner-accused No. 1 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; and
 - (vii) The petitioner-accused No. 1 shall surrender his passport, if any, to the investigating officer. If he claims that he does not have a passport, he shall submit an affidavit to that effect to the investigating officer.

8. The criminal petition is accordingly allowed.

//TRUE COPY//

SD/- B CHITTI JOSEPH
ASSISTANT REGISTRAR


SECTION OFFICER

To,

1. The I Additional District & Sessions Judge-cum-Special Court for NDPS at Visakhapatnam.
2. The IV Additional Chief Judicial Magistrate, Visakhapatnam
3. The Superintendent, Visakhapatnam Sub-Jail, Visakhapatnam.
4. The SHO, III Town Police Station, Visakhapatnam Commissionerate.
5. One CC to SRI. GINJUPALLI SUBBA RAO Advocate [OPUC]
6. Two CCs to PUBLIC PROSECUTOR, High Court of Andhra Pradesh.[OUT]
7. One spare copy

ksr

HIGH COURT

DR.YLR, J

DATED:20/08/2025

BAIL ORDER

CRLP.No.8440 of 2025

ALLOWED

