

[3521]
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
FRIDAY ,THE TENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO
CRIMINAL PETITION NO: 10222 OF 2025



Between:

Thavaraja Ramar, S/o. Ramar, Aged about 24 years, R/o. D.No. 3-99,
Kolinjikadu, Murugumpalayam, Iduvampalayam, Tiruppur, Tamil Nadu State.

Petitioner/Accused

AND

The State of Andhra Pradesh, SHO, GRPS Guntakal, Ongole Police
station. Rep. by its Public Prosecutor, High Court of Andhra
Pradesh, Amaravati.

Respondent/Complainant

Petition under Sections 437 & 439 of Cr.P.C, (New Sections 480 & 483
of BNSS, 2023) praying that in the circumstances stated in the affidavit filed
in support of the Criminal Petition, the High Court may be pleased to grant him
bail on such terms and conditions as deemed fit directing their enlargement in
Crime No. 80 of 2025 of Ongole Police Station, GRP Guntakal and to pass
such further orders deemed fit in the interest of Justice.

COUNSEL FOR THE PETITIONER : SRI. BHOOMA MAHARSHI REDDY

COUNSEL FOR THE RESPONDENT : PUBLIC PROSECUTOR

THE COURT MADE THE FOLLOWING ORDER



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

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TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

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Between:

1. THAVARAJA RAMAR, S/O. RAMAR, AGED ABOUT 24 YEARS, R/O.
D.NO. 3-99, KOLINJIKADU, MURUGUMPALAYAM,
IDUVAMPALAYAM, TIRUPPUR, TAMIL NADU STATE.

...PETITIONER/ACCUSED

AND

1. THE STATE OF ANDHRA PRADESH, SHO, GRPS Guntakal, Ongole
Police Station, Rep. by its Public Prosecutor, High Court of Andhra
Pradesh, Amaravati.

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused:

1. BHOOMA MAHARSHI REDDY

Counsel for the Respondent/complainant:

1. PUBLIC PROSECUTOR

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 on bail in Crime No.80 of 2025 of Ongole Police Station, GRP Guntakal, registered against the Petitioner/Accused



herein for the offence punishable under Section 8(c) read with 20(b)(ii)(B) the Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity 'the NDPS Act').

CASE OF THE PROSECUTION:

2. Material averments stemming from the prosecution are that on 08.08.2025 at about 17.45 hrs, on receipt of credible information, the Police along with mediators and while checking rear side general compartment in Train No.17479 (Puri-Tirupati Express) after crossing Ongole R.S, found a black and blue colour handbag containing 2.800 grams of ganja in 3 plastic covers in possession of the Petitioner/ Accused, worth of Rs. 5,000/- for sale and the Accused admitted that he purchased the same at Bhubaneswar Railway Station premises, Odisha State. The same was seized by the Police and registered the above case.

CONTENTIONS OF THE COUNSEL FOR THE PETITIONER:

3. Sri Bhooma Maharshi Reddy, learned Counsel for the Petitioner submits that the Petitioner is innocent and has been falsely implicated in the alleged offence, and that there is no *prima facie* material or cogent evidence connecting the Petitioner to the commission of the crime. It is further contended that the Petitioner is the sole earning member of his family and that his incarceration would result in grave hardship and irreparable prejudice to his dependents. The Petitioner undertakes to comply with any condition that

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this Hon'ble Court may deem fit and proper to impose while considering the prayer for grant of bail.

4. It is further submitted that the Petitioner is a permanent resident of Kolinjikadu, Murugumpalayam, Iduvampalayam, Tiruppur, Tamilnadu and there exists no apprehension of his absconding or evading the due process of law. The Petitioner has extended full cooperation in the course of investigation and undertakes to continue such cooperation in all future proceedings. It is also urged that the nature of the allegations does not necessitate custodial interrogation, and that the imposition of appropriate conditions would suffice to secure the ends of justice. In view of the foregoing, it is urged to allow the petition.

ARGUMENTS OF THE STATE:

5. *Per contra*, Ms. P. Akhila Naidu, learned Assistant Public Prosecutor has vehemently opposed the prayer for bail, asserting that the investigation is at a nascent and critical stage, with several material witnesses yet to be examined. It is submitted that the premature enlargement of the Petitioner on bail would be inimical to the sanctity and efficacy of the ongoing investigative process and may engender deliberate non-cooperation on the part of the Petitioner. The prosecution further raises an apprehension that, if released, the Petitioner may exert undue influence upon, or intimidate, prosecution witnesses, thereby impeding the administration of justice and vitiating the evidentiary foundation of the case. It is also contended that there exists a

palpable and imminent risk of the Petitioner absconding, thereby frustrating the due process of law.

6. In view of the gravity and allegations, coupled with the potential threat posed to the integrity of the investigation, it is submitted that the Petitioner is not entitled to the indulgence of discretionary relief and it is urged to dismiss the present Criminal Petition.

POINT FOR CONSIDERATION:

7. In view of the rival submissions advanced by both the learned Counsel and upon a perusal of the prosecutorial narrative, the pivotal issue now meriting for consideration is:

"Whether the Petitioner is entitled for grant of bail?"

ANALYSIS:

8. It is alleged that the Petitioner, who is sole Accused has indulged in possession and transportation of 2.8 Kgs of ganja. It is not a commercial quantity. The Petitioner was arrested on 09.08.2025. He has been in judicial custody for about past 60 days. The Petitioner is a permanent resident of Kolinjikadu, Murugumpalayam, Iduvampalayam, Tiruppur, Tamilnadu. He has got fixed abode. There are no criminal similar adverse antecedents reported against the Petitioners. So far four witnesses are examined. They are all official witnesses. Substantial portion of investigation in far as alleged role of the Petitioner is concerned is completed. Chances of the Petitioner either

threatening the witnesses or tampering the evidence or hampering the investigation may not arise.

CONCLUSION:

9. Considering the nature and gravity of allegation levelled against the Petitioner, his alleged role played in this case, and the period of detention undergone by the Petitioner, this Court is inclined to enlarge the Petitioner on bail with the following stringent conditions:

- i. The Petitioner/Accused shall be enlarged on bail subject to his executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only), with two sureties for the like sum each to the satisfaction of the learned Judicial Magistrate of First Class for Railways, Nellore, SPSR Nellore District.
- ii. The Petitioner/Accused shall not commit or indulge in commission of any offence in future.
- iii. The Petitioner/Accused 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.
- iv. 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/her from disclosing such facts to the court or to any police officer.

v. The Petitioner/Accused shall surrender his passport, if any, to the investigating officer. If he claims that he does not have a passport, they shall submit an affidavit to that effect to the Investigating Officer.

10. Accordingly, the Criminal Petition is allowed.

SD/- B.PRASAD RAO
DEPUTY REGISTRAR

SECTION OFFICER

//TRUE COPY//

To,

1. The Judicial Magistrate of First Class for Railways, Nellore, SPSR
Nellore District
2. The Superintendent, Nellore Central Jail, Nellore
3. The Station House officer, Ongole Police station, GRP Guntakal
4. One CC to SRI. BHOOMA MAHARSHI REDDY Advocate [OPUC]
5. Two CCs to PUBLIC PROSECUTOR, High Court of A.P[OUT]
6. **One spare copy**

HIGH COURT

DR.YLR,J

DATED:10/10/2025

BAIL ORDER

CRLP.No.10222 of 2025

ALLOWED

