

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

THURSDAY, THE NINTH DAY OF OCTOBER,

TWO THOUSAND AND TWENTY FIVE

:PRESENT:
THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 10146 OF 2025



Between:

Maddala Vamsi, S/o Govinda, Aged 24 years, R/o T-Boddavara Village,
S.Kota Mandal, Vizianagaram District.

Petitioner/Accused No.3

AND

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

Respondent/Complainant

Petition under Section 480 & 483 of BNSS., is filed praying that in the
circumstances stated in the grounds filed in support of the petition, the High
Court may be pleased to release the Petitioner/Accused no. 3 on bail in
Crime, no. 295 of 2022, On the file of the S. Kota Police Station.

The petition coming on for hearing, upon perusing the Petition and the
affidavit filed in support thereof and upon hearing the arguments of Sri.
ADAPA SUDHAKAR RAO, Advocate for the Petitioner and of PUBLIC
PROSECUTOR, for the Respondent;

The Court made the following ORDER:



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

[3521]

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TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 10146/2025

Between:

Maddala Vamsi

...PETITIONER/ACCUSED

AND

The State Of Andhra Pradesh

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused:

1. ADAPA SUDHAKAR RAO

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 Petitioner/Accused No.3 on bail in Crime No.295 of 2022 of S. Kota Police Station, Vizianagaram District, was registered against the Petitioner/Accused No.3 herein for the offences punishable under Section 8 (c) read with 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity 'the NDPS Act').

CASE OF THE PROSECUTION:

2. The case of the prosecution is that on 17.09.2022 at about 07:30 hours, at Boddavara Check Post, S. Kota Mandal, and reported on the same day at 10:00 hours, the complainant received credible information regarding the illegal transportation of ganja. Acting on the said information, he, along with his staff, conducted vehicle checking at Boddavara Check Post, during which Accused Nos.3 and 4 were arrested, and 222 Kgs of ganja, a car bearing No. AP 05 DS7962, one Realme Android mobile phone, one iPhone mobile phone, and cash of Rs.300/-, all worth about Rs.8,88,000/-, were seized. Accused Nos.1 and 2 are absconding.

CONTENTIONS OF THE COUNSEL FOR THE PETITIONER:

3. Sri Adapa Sudhakar Rao, learned Counsel for the Petitioner submits that the Petitioner is innocent of the alleged offence and he has been falsely implicated in the alleged offence, without any cogent evidence linking him to the commission of the crime. It is contended that the Petitioner is the sole breadwinner of his family and his arrest would cause undue hardship and prejudice to his dependents. The Petitioner undertakes to abide by any condition that this Court may impose while granting bail to the Petitioner.

4. It is further submitted that the Petitioner has a permanent place of residence and there is no likelihood of his absconding or evading the process of law. The Petitioner has cooperated with the investigation thus far and

assures continued cooperation in future proceedings. It is also urged that the allegations are of a nature that do not warrant further custodial detention, and if any condition is imposed while granting the bail, Petitioner would not violate it; and it is urged to allow the Petition.

ARGUMENTS OF THE STATE:

5. *Per contra*, Ms.P.Akhila Naidu, learned Assistant Public Prosecutor strenuously opposed to grant of bail and prosecution further apprehend that the Petitioner, if released, may influence or intimidate witnesses, thereby obstructing the course of justice. It is also urged that there exists a real and imminent risk of the Petitioner absconding and evading the due process of law. Given the gravity of the allegations and the potential threat to the progress of the investigation, it is submitted that the Petitioner does not deserve the discretionary relief of bail and it is urged to dismiss the bail petition.

6. Thoughtful consideration is bestowed on the arguments advanced by the learned Counsel for both sides. I have perused the entire record.

POINT FOR CONSIDERATION:

7. In the light of the case of the prosecution and the contentions of the learned Counsel for both the sides, now the point for consideration is:

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

ANALYSIS:

8. As seen from the record, the petitioner/accused No.3 was apprehended on execution of P.T warrant on 19.06.2025. He has been in the judicial custody for past 112 days. As the petitioner did not appear before the learned Trial Court at appropriate time. The learned Trial Court was constrained to issue NBW. If one more opportunity is given to the petitioner he would comply with the conditions imposed on earlier occasion. Keeping the petitioner for indefinite period in the judicial custody would not serve any purpose. Since it is represented that the trial would take for a considerable length of time for reaching to its logical conclusion. The petitioner shall appear before the learned Trial Court as and when required without fail. Failure to appear on the required date, the learned Trial Court is at liberty to issue appropriate orders.

9. Considering the period of detention undergone by the Petitioner/Accused No.1, the nature and gravity of allegations levelled against the Petitioner, and his alleged role played in the case, this Court is inclined to enlarge the Petitioner/accused No.3 on bail with the following stringent conditions:

- i. The Petitioner/Accused No.3 shall be enlarged on bail subject to he executing a personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand Only), with two sureties each for the like sum each to the

satisfaction of the learned Judicial First Class Magistrate, Srungavarapukonta.

- ii. The petitioner/Accused No.3 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.3 shall appear before the learned Trial Court as and when required without fail. Failure to appear on the required date, the learned Trial Court is at liberty to issue appropriate orders.
- iv. The petitioner/Accused No.3 shall not leave the limits of the District without prior permission from the Station House Officer concerned.
- v. The petitioner/Accused No.3 shall not commit or indulge in commission of any offence in future.
- vi. The petitioner/Accused No.3 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.

vii. The Petitioner/Accused No.3 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.

10. Accordingly, the Criminal Petition is allowed.

//TRUE COPY//

SD/- B.PRASAD RAO
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The Judicial Magistrate of First Class, Srungavarapukonta, Vizianagaram District.
2. The Superintendent, Central Prison, Visakhapatnam.
3. The Station House Officer, S. Kota Police Station, Vizianagaram District.
4. One CC to Sri. ADAPA SUDHAKAR RAO, Advocate [OPUC]
5. Two CCs to PUBLIC PROSECUTOR, High Court of Andhra Pradesh, Amaravati. [OUT]
6. **One spare copy**

JSS

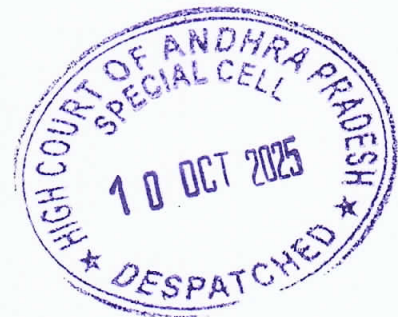
HIGH COURT

DR.YLR, J

DATED:09/10/2025

BAIL ORDER

CRLP.No.10146 of 2025



ALLOWED