

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

FRIDAY, THE TWENTY FOURTH DAY OF OCTOBER,

TWO THOUSAND AND TWENTY FIVE

:PRESENT:

HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 10756 OF 2025



Between:

KP Veerappan, S/o. Palani, aged about 29 years, R/o. Kuppuru Village, Bodaguttapalli Post, Yadamari Mandal, Chittoor District, A.P.

...Petitioner/Accused

AND

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

...Respondent

Petition under Sections 480 & 483 of BNSS, 2023 (under sections 437 and 439 of Cr.P.C., 1973), praying that in the circumstances stated in the memorandum of grounds filed in support of the Criminal Petition, the High Court may be pleased to enlarge the Petitioner/Accused on bail pending disposal of Crime No.86/2025 of Government Railway P.S., Ongole.

Counsel for the Petitioner : Sri Gollapalli Maheswara Rao

Counsel for the Respondent : Assistant Public Prosecutor

The Court made the following



The Court made the following:

ORDER:

The Criminal Petition has been filed under Sections 437 and 439 of the Code of Criminal Procedure, 1973 (for brevity 'the Cr.P.C.)/ 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.86 of 2025 of Government Railway Police Station, Guntakal, Prakasam District, registered against the petitioner/Accused herein for the offences punishable under Sections 8(c) read with 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity 'the NDPS Act').

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

3. As seen from the record, the allegation against the petitioner/Accused is that he was in possession of 3.70 Kgs of ganja, which is not a commercial quantity. So far, six witnesses have been examined, and they are all official witnesses. Substantial portion of the investigation with regard to the alleged role played by the petitioner is completed. The petitioner may not have any chance of threatening the witnesses, hampering the investigation, or tampering with the evidence.

The seized contraband is not a commercial quantity. The petitioner is a permanent resident of Kuppuru Village, Bodaguttapalli Post, Yadamari Mandal, Chittoor District. He has got fixed abode. If he is enlarged on bail with certain stringent conditions, he may not evade from the process of law. The petitioner was arrested on 24.08.2025 and he has been in judicial custody for the past 61 days. The learned Assistant Public Prosecutor submits that two similar adverse antecedents under the provisions of 'the NDPS Act' have been reported against him in Crime No.101 of 2024 and Cr.No.34 of 2025.

4. Be that as it may, the petitioner/Accused is presumed to be innocent until proven guilty. In ***Prabhakar Tiwari v. State of U.P. and others***¹, the Hon'ble Apex Court has categorically held that criminal antecedents should not be taken into consideration while considering the application for grant of bail.

5. Considering the facts and circumstances of the case, the nature and gravity of allegations levelled against the Petitioner/Accused, this Court is inclined to enlarge the Petitioner/Accused on bail with the following stringent conditions:

¹ 2020 (11) SCC 648

- i. The petitioner/Accused shall be enlarged on bail subject to he executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only), with two sureties each for the like sum each to the satisfaction of the learned I Additional District and Sessions Judge, Nellore, SPSR Nellore District.
- ii. The petitioner/Accused shall appear before the Station House Officer concerned, on every Saturday in between 10:00 am and 05:00 pm, till filing of the charge sheet.
- iii. The petitioner/Accused shall not leave the limits of the State of Andhra Pradesh without prior permission from the Station House Officer concerned.
- iv. The petitioner/Accused shall not commit or indulge in commission of any offence in future.
- v. 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.

Dr. YLR, J
Crl.P.No.10756 of 2025
Dated 24.10.2025

6. In the result, the Criminal Petition is allowed.

//TRUE COPY//

SD/-U.SRI DEVI
DEPUTY REGISTRAR
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SECTION OFFICER

To,

1. The I Additional District and Sessions Judge, Nellore, SPSR Nellore District.
2. The Superintendent, Central Prison, Nellore, SPSR Nellore District.
3. The Station House Officer, Government Railway Police Station, Guntakal, Prakasam District.
4. One CC to Sri Gollapalli Maheswara Rao, Advocate [OPUC]
5. Two CCs Public Prosecutor, A.P. High Court, Amaravati [OUT]
6. **One spare copy**

CVSS

HIGH COURT

Dr.YLR,J

DATED:24/10/2025

BAIL ORDER

CRLP.No.10756 of 2025

ALLOWED

