



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

[3521]

FRIDAY, THE THIRTY FIRST DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 10954/2025

Between:

1. AJITH KUMAR, S/O PERUMAL, AGE 30 YRS, R/O. D.NO. 5363310, SAKTHI NAGAR, NEAR GOVT, SCHOOL, RF ROAD, MALUR TOWN, KOLAR DIST, KARNATAKA STATE. (A1)
2. RAJENDRAN VATU,, S/O. VATU, AGE 35 YRS, R/O KORAMADUVU VILLAGE. KOVILANDUR POST. NAMMIYAMBATTU PANCHAYAT, JAMANAMARTH.UR TALUK, THIRUVANNAMALAI DIST. TAMILNADU STATE. (A2)
3. KESAVAN POOCHI,, S/O. POOCHI, AGE 45YRS, R/O. D.NO. 7. KORAMADUVU VILLAGE. KOVILANDUR POST. NAMMIYAMBATTU PANCHAYAT, JAMANAINARTHUR TALUK, THIRUVANNAMALAI DIST. TAMILNADU STATE. (A3)
4. VIVEKHANANDHAN,, S/O. DANDAPANI, AGE 32 YRS, R/O D.NO. 164, KUDUMAMPALLI VILLAGE, POST, PANCHAYAT. THIRUPATHUR TALUK, DIST, TAMILNADU STATE. (A4)
5. RATHAKRISHNAN VADDU,, S/O VADDU, AGE 51 YRS, R/O D.NO. 11, KORAMADUVU VILLAGE. KOVILANDUR POST. NAMMIYAMBATTU PANCHAYAT. JAMANANARTHUR TALUK. THIRUVANNAMALAI DIST, TAMILNADU STATE. (A5)
6. SAVUNTHARAJAN K,, S/O KAMALAN@ KAMALANADHAN, AGE 33YRS , KORAMADUVU VILLAGE. KOVILANDUR POST. NAMMIYAMBATTU PANCHAYAT, JAMANAMARTHUR TALUK. THIRUVANNAMALAI DIST. TAMILNADU STATE. (A6)

7. RAVI MUTHU,, S/O. MUTHU, AGE 40 YRS, R/O. D.NO. 24, KORAMADUVU VILLAGE. KOVILANDUR POST. NAMMIYAMBATTU PANCHAYAT, JAMANAMARTHUR TALUK, THIRUVANNAMALAI DIST, TAMILNADU STATE. (A7)
8. GOWRAJI,, S/O. CHINNASAMY, AGE 30 YRS, R/O KORAMADUVU VILLAGE. KOVILANDUR POST. NAMMIYAMBATTU PANCHAYAT, JARMANAMARTHURTALUK. THIRUVANNAMALAI DIST, TAMILNADU STATE. (A8)
9. SUDHAKAR CHINNASAMI,, S/O.CHINNASAM, AGED ABOUT 37 YEARS, R/O. KURUNUDUVU VILL KOVILANDUR POST. NAMMIYAMBATTU PANCHAYAT, JAMANAMARTHUR TALUK, THIRUVANNAMALAI DIST, TAMILNADU STATE. (A9)
- 10.DASARATHAN P,, S/O POOCHI, AGE 50 YRS, KORAMADUVU VILLAGE. KOVILANDUR NAMMIYAMBATTU PANCHAYAT, JAMANAMARTHUR TALUK, THIRUVANNAMALAI DIST, TAMILNADU STATE. (A10)
- 11.RAGHUPATHY,, S/O. RAJI. AGE 39Y YEARS, R/O. D.NO. 62/1, NAMMLYAMBATTU VILLAGE, POST, PANCHAYAT. JAMANAMARTHUR TALUK. THIRUVANNANAMALL DIST., TAMILNADU STATE. (ALL)
- 12.MURALI K,, S/O. KRISHNAN, AGE 26 YRS, R/O. D.NO. 36. KORAMADUVU VILLAGE, KOVILANDUR POST. NAMMIYAMBATTU PANCHAYAT, JAMANAMARTHUR TALUK. THIRUVANNAMALAI DIST. TAMILNADU STATE. (A12)
- 13.GANESAN,, S/O. CHINNAPALYAN, AGE 42 YRS, R/O. VAZHATHOMBAL. MANDAPARAL VILLAGE. VEERAPPANUR PANCHAYAT, JAMANAMARTHUR TALUK. THIRUVANNAMALAI DIST. TAMILNADU STATE. (A13)
- 14.NEEDHI RAMAN,, S/O. RAMAN, AGE 35YRS, R/O. D.NO. 09, KORAMADUVU VILLAGE, KOVILANDUR POST, NAMMIYAMBATTU PANCHAYAT. JAMANAMARTHUR TALUK, THIRUVANNAMALAI DIST, TAMILNADU STATE. (A14)

15. KRISHNAMOORTHY M., S/O. MUTHU, AGE 51YRS , R/O D.NO. 3. JONUR VILLAGE, KORAMADUVU VILLAGE. KOVILANDUR POST. NAMMIYAMBATTU PANCHAYAT. JAMANAMARTHUR TALUK. THIRUVANNAMALAI DIST. TAMILNADU STATE. (A15)
16. RAVI RAJAGOPAL,, S/O. RAJAGOPAL, AGE 37YRS, R/O. D.NO. 21 KORAMADUVU VILLAGE, KOVILANDUR POST. NAMMIYAMBATTU PANCHAYAT, JAMANAMARTHUR TALUK, THIRUVANNAMALAI DIST, TAMILNADU STATE. (A16)
17. SARAVANAN,, S/O MANI, AGE 35 YRS, R/O D.NO. 15. KORAMADUVU VILLAGE. KOVILANDUR POST. NAMMIYAMBATTU PANCHAYAT, JAMANAMARTHUR TALUK. THIRUVANNAMALAI DIST, TAMILNADU STATE. (A17)
18. RAMESH MUNIYAPPA,, S/O. MUNIYAPPA, AGE 45YRS, R/O. D.NO. 5/991, THIGADARAPALLI VILLAGE, SHOOLAGIRI POST, A. SETTYPALLI, KRISHNAGIRI TALUK AND DIST, TAMILNADU STATE. (A18)

...PETITIONER/ACCUSED(S)

AND

THE STATE OF ANDHRA PRADESH, Rep. by its Public Prosecutor, High Court of Andhra Pradesh, at Amaravati through Station House Officer, SRASTF P.S., Tirupati, Chittoor District.

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused(S):

SRINIVASU L

Counsel for the Respondent/complainant:

PUBLIC PROSECUTOR

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 petitioners/Accused Nos.1 to 18 on bail in Crime.No.50 of 2025 of RSASTF Police Station, Tirupati District, registered against the petitioners/Accused Nos.1 to 18 herein for the offences punishable under Sections 303 (2) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for brevity 'the BNS'), 49, 61(2) of 'the BNS' and Sections 20 (I)(d)(I)(a) read with 20(I)(c) ii, iii, iv, x, 36(a) read with 32A, 29 (4)(a)(I) of the Andhra Pradesh Forest Act, 2016.

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

3. As seen from the record, the allegation against the petitioners/Accused Nos.1 to 18 is that they were allegedly transporting 16 red sander logs in two cars, namely Mahindra XUV 500 and Maruti Ertiga. As per the version of the learned Assistant Public Prosecutor, the seating capacity of the above two vehicles is eight. Altogether, there are

18 accused, and they were allegedly transporting 16 red sander logs. The petitioners were arrested on 19.09.2025 and they have been in judicial custody for the past 42 days. So far, eight witnesses have been examined, and they are all official and material witnesses. The chances of the petitioners threatening the witnesses, tampering with the evidence, or hampering the investigation may not arise.

4. The petitioners/Accused Nos.2, 3, 5 to 12, and 14 to 17 are permanent residents of Jamanamarthur Taluk, Thiruvannamalai District, Tamil Nadu State. The petitioner/Accused No.1 is a permanent resident of Malur Town, Kolar District, Karnataka State. The petitioner/Accused No.4 is a permanent resident of Thirupathur Taluk, Tamil Nadu District. The petitioner/Accused No.13 is a permanent resident of Jamanamarthur Taluk, Tamil Nadu District. The petitioner/Accused No.18 is a permanent resident of Krishnagiri Taluk, Tamil Nadu State. They have got fixed abode. If they are enlarged on bail with some stringent conditions, they may not escape from the clutches of law. Insofar as the alleged role played by the petitioners is concerned, by examining eight witnesses, a substantial portion of the investigation has been completed. The learned Assistant Public Prosecutor submits that

against Accused Nos.1, 2, 15, 16, 17, and 18, there is one similar criminal adverse antecedent reported against each.

5. Be that as it may, the petitioners/Accused Nos.1 to 18 is presumed to be innocents 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.

6. Considering the facts and circumstances of the case, the nature and gravity of the allegations levelled against the petitioners/Accused Nos.1 to 18, this Court is inclined to enlarge the petitioners/Accused Nos.1 to 18 on bail, subject to the following stringent conditions:

- i. The petitioners/Accused Nos.1 to 18 shall be enlarged on bail subject to they executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties each for the like sum each to the satisfaction of the learned Judicial Magistrate of First Class-Cum-Special Court for Trial of Cases relating to Red Sanders Smuggling, Tirupati.

¹ 2020 (11) SCC 648

- ii. The petitioners/Accused Nos.1 to 18 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 petitioners/Accused Nos.1 to 18 shall not leave the limits of the District without prior permission from the Station House Officer concerned.
- iv. The petitioners/Accused Nos.1 to 18 shall not commit or indulge in commission of any offence in future.
- v. The petitioners/Accused Nos.1 to 18 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.
- vi. The petitioners/Accused Nos.1 to 18 shall cooperate with the investigating officer in further investigation of the case and shall make themselves available for interrogation by the investigating officer as and when required.

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

DR. Y. LAKSHMANA RAO, J

Date: 31.10.2025
RSI

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION No.10954 of 2025

Date: 31.10.2025

RSI