



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

[3521]

MONDAY, THE EIGHTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NOS: 12009 and 12018 of 2025

1. CRIMINAL PETITION NO: 12009/2025

Between:

KOMALI RAMAKRISHNA ALIAS GARAGA RAMAKRISHNA ALIAS BABI,
S/O. RAMAKRISHNA SATYANARAYANA, AGE 30 YEARS, C/KAPU, Y
JUNCTION, SUBBARAO PETA, RAJAHMUNDY TOWN

...PETITIONER/ACCUSED

AND

THE STATE OF ANDHRA PRADESH, Rep. by the Public Prosecutor
High Court of Andhra Pradesh Amaravati, Guntur District

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused:

ARRABOLU SAI NAVEEN

Counsel for the Respondent/complainant:

PUBLIC PROSECUTOR

2. CRIMINAL PETITION NO: 12018/2025

Between:

1. IPANGI KRISHNA RAO ALIAS KRISHNA, S/O. BONJIBABU, AGE 41
YEARS, C/ST KONDA KAMMARI, MAGABABU VILLAGE, KORAPAILI
PANCHAYATI, G. MADUGULA MANDAL, ASR DISTRICT.

2. JAGGAMDORA GOPAL ALIAS GOPAL KRISHNA ALIAS KRISHNA,,
S/O.BALANNA, AGE 24 YEARS, C/KONDA KAMMARI,
BANDHAVEEDHI, GADDARAYI VILLAGE, KUMBIDISINGI
PANCHAYATI G.MADUGUIA MANDAL, ASR DISTRICT.

3. GOLLORI MATYARAJU ALIAS GOUTHAM, S/O.DHARMARAJU, AGE
21 YEARS, C/ST MALI BURUGU VEEDHI, SINGARBA PANCHAYATI,
G.MADUGULA MANDAL, ASR DISTRICT.

...PETITIONER/ACCUSED(S)

AND

THE STATE OF ANDHRA PRADESH, Rep. by the Public Prosecutor
High Court of Andhra Pradesh Amaravati, Guntur District.

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused(S):

ARRABOLU SAI NAVEEN

Counsel for the Respondent/complainant:

PUBLIC PROSECUTOR

The Court made the following:

COMMON ORDER:

There two Criminal Petitions are heard and disposed of by way of this common order as these two Criminal Petitions arise out of same crime but for different Accused.

2. These two Criminal Petitions have 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 4 on bail in Crime No.127 of 2025 of Annavaram Police Station, Kakinada District, registered against the petitioners/Accused Nos.1 to 4 herein for the offences punishable under Sections 20(b)(ii)(C) read with 8 (c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity 'the NDPS Act').

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

4. As seen from the record, the petitioners/Accused Nos.1 to 4 were spot arrested while they were indulged in possession and transportation of 133.1 Kgs of ganja. Undoubtedly, it is not a commercial quantity, but it is also a colossal quantity. This is the second bail application filed by the petitioners. This Court in Crl.P.Nos.10056 and 10044 of 2025, *vide* common order dated 13.11.2025, dismissed the bail application of the petitioners on the ground that the investigation was pending and the statutory period of 180 days was not completed, following the judgment of the Hon'ble Apex Court in ***State of Kerala v. Rajesh***¹.

5. After thorough investigation, the charge sheet has been filed on 07.11.2025, i.e., within 180 days of the remand of the petitioners in judicial custody. The petitioners were arrested on 09.06.2025. They have been in judicial custody for the past 187 days. The record reveals that against

¹ (2020) 12 SCC 122

Accused No.1 there are three NDPS cases; against Accused No.2 there is one NDPS case; against Accused No.4 there are two NDPS cases; whereas Accused No.3 has no adverse antecedents.

6. Considering the gravity and nature of the allegations levelled against the petitioner/Accused No.3 and his role played in this 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 his executing bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties for the like sum each to the satisfaction of the learned Judicial First Class Magistrate, Prathipadu.
- ii. The petitioner/Accused No.3 shall appear before the learned Trial Court on each and every adjournment without fail.
- iii. The petitioner/Accused No.3 shall not leave the limits of the State of Andhra Pradesh without prior permission from the learned Trial Court concerned.
- iv. The petitioner/Accused No.3 shall not commit or indulge in commission of any offence in future.

v. 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.

7. Insofar as the allegations against the petitioners/Accused Nos.1, 2, and 4 are concerned, they are severe in nature, and there are similar criminal adverse antecedents reported against them. Albeit, adverse antecedents would not have been relevant while considering the petitioners for grant of bail, the charge sheet was filed within 180 days of the statutory period; hence, the petitioners/Accused Nos.1, 2, and 4 are not entitled to default bail. If the petitioners/Accused Nos.1, 2, and 4 are enlarged on bail, as rightly pointed out by the learned Assistant Public Prosecutor, they would tend to commit similar offences.

8. Considering the severity and nature of the allegations levelled against the petitioners/Accused Nos.1, 2, and 4, this Court is not inclined to grant bail at this point of time. Hence, the request for grant of bail to the petitioners/Accused Nos.1, 2, and 4 is dismissed. Therefore, the petition, insofar as it relates to the petitioners/Accused Nos.1, 2, and 4, is dismissed.

9. In the result, Criminal Petition No.12018 of 2025 is partly allowed, dismissing the petition insofar as Petitioners/Accused Nos.1 and 2 is

concerned, and allowing the petition in favour of Petitioner No.3/Accused No.3, while Criminal Petition No.12009 of 2025, filed by the petitioner/Accused No.4, is dismissed.

DR. Y. LAKSHMANA RAO, J

Date: 08.12.2025
RSI

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION Nos.12009 and 12018 of 2025

Date: 08.12.2025

RSI