

[3521]

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

MONDAY, THE FIFTH DAY OF JANUARY

TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 13392 OF 2025

Between:

1. Chilla Appanna alias Appalaraju,, S/o Late Naidu Age 49 years, R/o D.No. 65-3-159, Nehuru Nagar, Malkapuram, Visakhapatnam

Petitioner/Accused

AND

1. The State of Andhra Pradesh, through Station House officer, Malkapuram Police Station, Visakhapatnam Rep. by Public Prosecutor, High Court at Amaravati.

Respondent

Petition under Section 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 release the Petitioner/Accused on bail in connection with Crime No. 198 of 2025 of Malkapuram Police Station, Visakhapatnam

The petition/Appeal coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of RAMINENI SUDHEER Advocate for the Petitioner(s), PUBLIC PROSECUTOR Advocate for the Respondent(s) and 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 SIX

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THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 13392/2025

Between:

CHILLA APPANNA ALIAS APPALARAJU,, S/O LATE NAIDU AGE 49
YEARS, R/O D.NO. 65-3-159, NEHURU NAGAR, MALKAPURAM,
VISAKHAPATNAM

...PETITIONER/ACCUSED

AND

THE STATE OF ANDHRA PRADESH, through Station House officer,
Malkapuram Police Station, Visakhapatnam Rep. by Public Prosecutor,
High Court at Amaravati.

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused:

RAMINENI SUDHEER

Counsel for the Respondent/complainant:

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 on bail in Crime No.198 of 2025 of
Malkapuram Police Station, Visakhapatnam Commissionerate, registered

against the Petitioner/Accused herein for the offences punishable under Sections 20(b)(ii)(B) read with 8(c) 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. On perusal of the record, this is the second bail application. This Court in Crl.P.No.12773 of 2025, vide order dated 19.12.2025, dismissed the first bail application. After thorough investigation, charge sheet has been filed and it is registered as N.S.C.No.604 of 2025. The Petitioner is the sole accused in this case. The allegation against the Petitioner is that he was indulged in transportation of 2 kgs of ganja. It is not a commercial quantity. The learned Assistant Public Prosecutor alleges that the Petitioner is a rowdy sheeter and he is involved in one murder case vide Cr.No.26 of 2025 of Malkapuram Police Station under Section 103(1) of the Bharatiya Nyaya Sanhita, 2023.

4. Be that as it may, the Petitioner/Accused is presumed to be innocent until the guilt is proved. The Hon'ble Apex Court in **Prabhakar Tewari v. State of Uttar Pradesh**¹, at para No.7, observed that mere pendency of criminal antecedents itself is not a ground to deny the request for grant of bail. The bail application has to be disposed of preferably within a period of two weeks as per the Hon'ble Supreme Court in **Satender Kumar Antil v. CBI**². The Petitioner was arrested on 27.09.2025. He has been in the judicial custody for

¹(2020) 11 SCC 648

²(2022) 10 SCC 51

the past 100 days. The petitioner is a permanent resident of Malkapuram, Visakhapatnam District. He has got fixed abode. If the petitioner is enlarged on bail with certain stringent conditions, he may not evade from the process of law.

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:

- i. The Petitioner/Accused shall be enlarged on bail subject to him executing a 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 III Additional Chief Judicial Magistrate, Gajuwaka, Visakhapatnam.
- ii. The Petitioner/Accused shall appear before the learned Trial Court on each and every adjournment without fail.
- iii. The Petitioner/Accused shall not leave the limits of the State of Andhra Pradesh without prior permission from the learned Trial Court.
- 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.

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

//TRUE COPY//

For

SD/-SK MD RAFI
DEPUTY REGISTRAR

SECTION OFFICER

To,

1. The III Additional Chief Judicial Magistrate, Gajuwaka, Visakhapatnam.
2. The Additional Judicial I Class, Magistrate at Narsaipatnam.
3. The Superintendent of Central Jail, Visakhapatnam District.
4. The Station House Officer, Malkapuram Police Station, Srikakulam District.
5. One CC to SRI. RAMINENI SUDHEER Advocate [OPUC]
6. One CC to SRI. PUBLIC PROSECUTOR Advocate [OPUC]
7. **One spare copy**

HIGH COURT

DR.YLRJ

DATED:05/01/2026

BAIL

CRLP.No.13392 of 2025

ALLOWED

