



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

[3521]

FRIDAY, THE TWENTY SIXTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION NO: 9708/2025

Between:

Anuguri Harinadh Babu

...PETITIONER/ACCUSED

AND

The State Of Andhra Pradesh

...RESPONDENT/COMPLAINANT

Counsel for the Petitioner/accused:

1. ARRABOLU SAI NAVEEN

Counsel for the Respondent/complainant:

1. PUBLIC PROSECUTOR

The Court made the following:

ORDER:

This criminal petition has been filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking to enlarge the petitioner-accused No.1 bail in crime No. 216 of 2021 of Sabbavaram Police Station, registered for the offence punishable under Section 20 (b) (ii) (C), 25 read with Section 8 (c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the NDPS Act').

CASE OF THE PROSECUTION:

2. Material averments stemming from the case of the prosecution are that on 24.08.2021, the Sub-Inspector of Police, along with his staff and mediators conducted vehicle checking and noticed a Bolero Vehicle proceeding towards Sabbavaram-Venkannapalem SH Tar Road near to Lingalathirugudu Village Junction. On seeing the police party, the persons inside the vehicle stopped the vehicle and escaped from the spot. On search, police found 415.8 kgs of ganja in the said vehicle. The contraband, along with other material, was seized under the cover of mediators report.

CONTENTIONS OF LEARNED COUNSEL FOR THE PETITIONER:

3. Sri Arrabolu Sai Naveen, learned counsel for the petitioner, submits that the petitioner is innocent and has been falsely implicated in the alleged offence, without any cogent evidence linking 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 the dependents of the petitioner. 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 permanent place of residence and there is no likelihood of him absconding or evading the process of law. The petitioner has cooperated with the investigation thus far and assure continued cooperation in future proceedings. It is also urged that the allegations are of a nature that do not warrant custodial interrogation, and if

any condition is imposed while granting the bail, the petitioner would not violate it; and it is urged to allow the petition.

ARGUMENTS OF THE STATE:

5. *Per contra*, Ms.Akhila Naidu, learned Assistant Public Prosecutor, strenuously opposed the grant of bail, contending that the investigation is still underway and several material witnesses are yet to be examined. It is submitted that enlargement of the petitioner on bail at this stage would seriously hamper the progress of the investigation and may result in non-cooperation from the petitioner. The prosecution further apprehends 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 integrity of the investigation, it is submitted that the petitioner do 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 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 learned counsel for both sides, now the point for consideration is:

“Whether the petitioner is entitled for grant of bail?”

ANALYSIS:

8. The allegations against the petitioner/accused No.1 are that he was indulged in possession of 415.8 kgs of ganja. The learned Single Judge of this Court enlarged the petitioner No.2 on bail in CrI.P.No.1279 of 2025 on 13.02.2025 on certain conditions. The petitioner/accused No.1 is also standing on the similar footing. The petitioner was arrested on 19.07.2025. He has been in the judicial custody for the past 67 days. The petitioner is permanent residents of Chapagedda Village, G.Madugula Mandal, Alluri Seetharamaraju District. The petitioner has got fixed abode. After thorough investigation charge sheet has been filed. Therefore, the question of petitioner threatening the witnesses or hampering the investigation or tampering the evidence may not arise. Based on the confession of accused No.2, the petitioner was shown as accused No.1 in this crime.

CONCLUSION:

9. Considering the nature and gravity of allegation levelled against the petitioner, their alleged roles played in this case, and the period of detention undergone by the petitioners, this Court is inclined to enlarge the petitioner on bail with the following stringent conditions:

- i. The petitioner/Accused No.1 shall be enlarged on bail subject to he executing a 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 II Additional Junior Civil Judge-cum-XII Additional Metropolitan Magistrate, Anakapalli.

ii. The petitioner/Accused No.1 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.1 shall not leave the limits of the State of Andhra Pradesh without prior permission from the Station House Officer concerned.

iv. The petitioner/Accused No.1 shall not commit or indulge in commission of any offence in future.

v. The petitioner/Accused No.1 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.

vi. The petitioner/Accused No.1 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.

vii. The petitioner/Accused No.1 shall surrender his passport, if any, to the investigating officer. If he claim that he do not have a passport, he shall submit an affidavit to that effect to the Investigating Officer.

10. Accordingly, the Criminal Petition is allowed.

DR. Y. LAKSHMANA RAO, J

Date: 26.09.2025
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THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

CRIMINAL PETITION No.9708 of 2025

Date:26.09.2025

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