

(2025) 11 AP CK 0002

Andhra Pradesh HC

Case No: Criminal Petition No: 10815 Of 2025

Setti Uma Maheswara
Rao

APPELLANT

Vs

State Of Andhra
Pradesh

RESPONDENT

Date of Decision: Nov. 7, 2025

Acts Referred:

- Bharatiya Nagarik Suraksha Sanhita, 2023 - Section 480, 483
- Narcotic Drugs And Psychotropic Substances Act, 1985 - Section 8(c), 20(b)(ii)(c)

Hon'ble Judges: Dr Y. Lakshmana Rao, J

Bench: Single Bench

Advocate: Kakumanu Joji Amrutha Raju

Final Decision: Allowed

Judgement

Dr Y. Lakshmana Rao, J

1. 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 No.3 on bail in Crime No.181 of 2024 of Pachipenta Police Station, Parvathipuram Manyam District, registered against the Petitioner/Accused No.3 herein for the offences punishable under Section 8(c) read with Section 20(b)(ii)(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. The allegation against the petitioner is that he was indulged in dealing with 317.350 kgs of ganja with the assistance of other accused. The petitioner was arrested on execution of P.T. Warrant on 09.04.2025. He has been in judicial custody for the past 208 days. The remand extension petition was filed and the remand was granted till 07.11.2025. No further remand extension petition was filed. It is reported that there are three similar adverse antecedents against the petitioner. The petitioner is permanent resident of Sivalingapuram Village, Alluri Seetha Rama Raju District. He has got fixed abode. If conditions are imposed, there is no likelihood of his absconding or evading the process of law. Substantial portion of the investigation in so far the involvement of the petitioner is concerned is completed.

4. Considering the detention in the judicial custody beyond the statutory period, no application has been filed for further extension of the remand period, the nature and gravity of allegations levelled against the Petitioner/Accused No.3, this Court is inclined to enlarge the Petitioner/Accused No.3 on bail.

5. In the result, the Criminal Petition is allowed with the following stringent conditions:

i. The petitioner/Accused No.3 shall be enlarged on bail subject to he executing bond for a sum of Rs.50,000/- (Rupees fifty thousand only), with two sureties each for the like sum each to the satisfaction of the learned Judicial Magistrate of First Class, Salur.

ii. The petitioner/Accused No.3 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.3 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.3 shall not commit or indulge in commission of any offence in future.

v. The petitioner/Accused No.3 shall cooperate with the investigating officer in further investigation of the case and shall make himself available for interrogation by the investigating officer as and when required.

vi. 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 or to any police officer.

vii. The petitioner/Accused No.3 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.