

(2025) 11 AP CK 0003

Andhra Pradesh HC

Case No: Criminal Petition No: 10876 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.1 on bail in Crime No.295 of 2022 of S.Kota Police Station, Vizianagaram District registered against the Petitioner/Accused No.1 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. Mr. Kakumanu Joji Amrutha Raju, learned counsel for the petitioner, submits that as on the date of issuance of the NBW against the petitioner, he was already in judicial custody. The NBW was issued on 09.05.2025, and the petitioner was produced before the learned trial Court on execution of a P.T. warrant on 19.05.2025. He has been in judicial custody for 198 days. Since the petitioner was in judicial custody in another crime, he could not appear before the learned trial Court. The Jail Authorities ought to have taken steps to produce the petitioner before the learned trial Court.

4. Considering the above fact, this Court is inclined to enlarge the Petitioner/Accused No.1 on bail.

5. In the result, the Criminal Petition is allowed 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.25,000/- (Rupees twenty five thousand only), with two sureties each for the like sum each to the satisfaction of the learned I Additional Sessions Judge-cum-Special Sessions Judge for trial of the case under the NDPS Act, 1985, Vizianagaram.
- ii. The petitioner/Accused No.1 shall appear before the learned trial Court on every adjournment without fail. If the petitioner commits any similar offence in future, the learned trial Court is at liberty to proceed in accordance with law by cancelling the bail.
- iii. The Petitioner/ Accused No.1 shall not commit or indulge in commission of any offence in future.