

(2025) 11 AP CK 0004

Andhra Pradesh HC

Case No: Criminal Petition No: 11266 Of 2025

Manikala Dhandu
Mari

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: P Nagendra Reddy

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.248 of 2025 of Prohibition and Excise Station, Nellore-I, registered against the Petitioner/Accused No.1 herein for the offences punishable under Section 8(c) read with Section 20(b)(ii)(B) 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 petitioner was arrested on 10.10.2025. He has been in judicial custody for the past 27 days. The learned Assistant Public Prosecutor submits that there are no similar adverse antecedents reported against the petitioner. The petitioner was found in possession of 6 kgs of ganja. It is not a commercial quantity. So far, eight witnesses have been examined, all of whom are material and official witnesses. Therefore, the possibility of the petitioner threatening the official witnesses, tampering with evidence, or hampering the investigation does not arise. The petitioner is permanent resident of Ramalingapuram, Nellore City, SPSR Nellore District. He has got fixed abode. If conditions are imposed, there is no likelihood of his absconding or evading the process of law.

4. Considering the facts and circumstances of the case, the nature and gravity of allegations levelled against the Petitioner/Accused No.1, 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 bond for a sum of Rs.20,000/- (Rupees twenty thousand only), with two sureties each for the like sum each to the satisfaction of the learned Special Judicial Magistrate For Trial of Prohibition & Excise Offences, Nellore.

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 himself 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.