



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

[3396]

WEDNESDAY, THE TWENTY FIRST DAY OF JANUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL PETITION NO: 12363/2025

Between:

1. BIBIN NATH T, S/O THARANATH, AGED 38 YEARS, R/O H.NO.27,
ANNA SALAI, STAR AREA BEHIND DEVI THEATRE, MOUNT
ROAD, CHENNAI.

...PETITIONER/ACCUSED

AND

1. THE STATE OF ANDHRA PRADESH, Rep. by its Public Prosecutor,
High Court of Andhra Pradesh at Amaravati.

...RESPONDENT/COMPLAINANT

Petition under Section 437/438/439/482 of Cr.P.C and 528 of BNSS
praying that in the circumstances stated in the Memorandum of Grounds of
Criminal Petition, the High Court pleased to enlarge bail to the
petitioner/Accused No.1 and pass

Counsel for the Petitioner/accused:

1. MADHU SUDHAN P

Counsel for the Respondent/complainant:

1. PUBLIC PROSECUTOR

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL PETITION NO: 12363/2025ORDER :

The instant petition under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhita, 2024 (for short 'BNSS') read with Sections 437 and 439 of Code of Criminal Procedure (for short 'Cr.P.C.'), has been filed by the Petitioner/Accused No.1, seeking regular bail in Crime No.156 of 2025 of Sullurpet Police Station, Tirupati District, registered for the offences punishable under Sections 8(c) read with 20 (b) (ii) (c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity 'the NDPS Act').

2. Heard Sri P.Madhu Sudan, learned counsel for the Petitioner and Mrs. K.Priyanka Lakshmi, learned Assistant Public Prosecutor, representing the State.

3. Learned counsel for the petitioner would submit that the petitioner herein is the Accused No.1. The allegation against the petitioner and the other accused is that they were found in possession of 70.560 Kgs of ganja, which constitute a commercial quantity. The petitioner has got fixed abode. Learned counsel for the petitioner would further submit that the statutory period of 180 days is over and charge sheet is not yet filed. The petitioner was arrested on 12.07.2025. He has been in judicial custody since then. In the light of the change of circumstances, the case of the petitioner may be considered by imposing any conditions.

4. The learned Assistant Public Prosecutor submits that no report was filed before the learned Court below by the learned Public Prosecutor concerned seeking for extension period of judicial custody of the petitioner upto one year by indicating the progress of investigation and the specific reasons for the detention of the accused beyond the initial period.

5. Section 36A (4) of 'the NDPS Act' states that if the investigation is not completed within 180 days, the Accused have an indefeasible right to bail, unless the Special Court extends the period up to one year on the report of the Public Prosecutor, indicating the progress of the investigation and specific reasons for the detention of the accused beyond the initial period.

6. Considering the facts and circumstances of the case and in view of the change in circumstances, this Court is inclined to grant regular bail to the petitioner/accused No.1 with the following stringent conditions:

- i. The petitioner/accused No.1 shall be enlarged on bail subject to their executing a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand Only) each with two sureties each for the like sum each to the satisfaction of the learned Additional Judicial Magistrate of First Class, Sullurpet.
- 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 filing of the charge sheet.
- 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, 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.

vi. 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.

7. Accordingly, the Criminal Petition is allowed.

DR.VENKATA JYOTHIRMAI PRATAPA, J

Date: 21.01.2026
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THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL PETITION NO: 12363 OF 2025

Dt: 21.01.2026

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