



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

[3396]

WEDNESDAY, THE SIXTH DAY OF MAY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL PETITION NO: 4081/2026

Between:

1. CHIRUMAMILLA GOPI, - -S/O. LATE SRINUVAS, AGED ABOUT 27 YEARS, R/O. D. NO. 1-24, LENKLAPALLI VILLAGE AND POST, MARRIGUDEM MANDAL, NALGONDA DISTRICT, TELANGANA STATE.

...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 the Petitioner/Accused No.2 on bail pending disposal of Crime No.28/2026 of Airport Law AND Order P.S., Visakhapatnam District and to pass

Counsel for the Petitioner/accused:

1. GOLLAPALLI MAHESWARA RAO

Counsel for the Respondent/complainant:

1. PUBLIC PROSECUTOR

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA**CRIMINAL PETITION NO: 4081 OF 2026****ORDER:**

This Criminal Petition, under Sections 480 and 483 of the BNSS, has been filed by the petitioner herein/Accused No.2, seeking regular bail, in Crime No.28 of 2026 of Airport Law and Order P.S., Visakhapatnam District, registered for the offences punishable under Sections 20(b)(ii)(B) r/w 8(C) of Narcotic Drugs and Psychotropic Substances Act (for short "NDPS Act").

2. The brief facts of the case are that on 29.01.2026, the SI of Airport Law and Order P.S., on receiving credible information, secured the presence of mediators and rushed to the area near Old Bus Stop, opposite NSTL at NAD, Visakhapatnam. On reaching the spot, the police noticed a person carrying a black-colour college bag, who, on seeing the police, attempted to escape. The police apprehended Accused No.1 and seized 1.8 kgs of ganja from his possession. The petitioner was arrayed as Accused No.2 based on the confession statement of Accused No.1.

3. Heard Sri Gollapalli Maheswara Rao, learned counsel for the petitioner and Ms.K.Priyanka Lakshmi, learned Assistant Public Prosecutor representing on behalf of the State.

4. Learned counsel for the petitioner would submit that the petitioner has been falsely implicated in this crime and that he is in no way connected with the commission of the offence. Learned counsel would further submit that the petitioner has been in judicial custody for the last 53 days and the contraband

involved in this case is only 1.8 Kgs of ganja, which is a non-commercial quantity. The petitioner has been arrayed as Accused No.2 in this case, based solely on the confession statement of the co-accused. No contraband was seized from the possession of the petitioner. Learned counsel further submits that the petitioner undertakes to strictly adhere to any conditions that may be imposed by this Court.

5. Learned Assistant Public Prosecutor representing on behalf of the State would submit that the contraband involved in the present case is 1.8 kgs of ganja, which is a non-commercial quantity. The petitioner has been in judicial custody since 13.03.2026. The investigation is still pending. She finally submits that the Court may pass appropriate orders.

6. Considering the submissions made and upon keen perusal of the material placed, and in the light of the fact that, except for the confession statement of Accused No.1, no other incriminating material has been placed before this Court against the petitioner/Accused No.2, and the contraband involved in the present case is only 1.8 kgs of ganja, this Court is inclined to enlarge the petitioner/Accused No.2 on bail, subject to the following conditions:

- i. The petitioner/Accused No.2 shall execute personal bond for a sum of Rs. 20,000/- (Rupees Twenty Thousand only) with two sureties for a like sum each, to the satisfaction of the learned VII Additional Judicial First Class Magistrate, Visakhapatnam.

- ii. The petitioner/Accused No.2 shall appear before the Investigating Officer as and when required and shall cooperate with further investigation, if any.
 - iii. The petitioner/Accused No.2 shall not directly or indirectly tamper with evidence nor influence, intimidate, or induce any prosecution witness.
 - iv. The petitioner/Accused No.2 shall appear before the Station House Officer, concerned, once in a week i.e., on every Sunday between 10.00 a.m. and 5.00 p.m. till further orders.
 - v. The petitioner/Accused No.2 shall not commit or indulge in commission of any offence in future.
 - vi. The petitioner/Accused No.2 shall surrender his passport, if any, to the concerned Court. If he claims that he does not have a passport, he shall submit an affidavit to that effect to the concerned Court.
7. In the event of violation of any of the above conditions, the prosecution shall be at liberty to seek cancellation of bail.
8. It is also made clear that the observations made in this order are only for the purpose of deciding the bail application and they shall not be construed as opinion on the merits of the Crime.
9. Accordingly, this Criminal Petition is allowed.

As a sequel thereto, the miscellaneous applications, if any, pending in this Criminal Petition shall stand closed.

DR. JUSTICE VENKATA JYOTHIRMAI PRATAPA

Date: 06.05.2026.

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THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

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Dt.06.05.2026

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