



**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: 4051/2026

Between:

1. BANDI LOKESH, S/O ESWARLU, AGED ABOUT 27 YEARS, R/O DRIVERS COLONY, GOKAVARAM VILLAGE AND MANDAL, EAST GODAVARI DISTRICT, ANDHRA PRADESH.
2. GANTA KASI VISWANATHAM, S/O NAGESWARA RAO, AGED ABOUT 31 YEARS, R/O DRIVERS COLONY, GOKAVARAM VILLAGE AND MANDAL, EAST GODAVARI DISTRICT, ANDHRA PRADESH.

...PETITIONER/ACCUSED(S)

AND

1. THE STATE OF ANDHRA PRADESH, REPRESENTED BY ITS PUBLIC PROSECUTOR, HIGH COURT OF ANDHRA PRADESH, HIGH COURT BUILDINGS AT NELAPADU, GUNTUR DISTRICT, ANDHRA PRADESH. THROUGH SHO, ONGOLE I TOWNUPS, PRAKASAM DISTRICT

...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 release of the petitioners/accused 1 and 2 on regular bail in Crime No. 28 of 2026 of Ongole I Town Police Station, Prakasam District, registered under Section 8(c) read with Section 20(b)(ii)(B) of the NDPS Act, 1985 and pass

Counsel for the Petitioner/accused(S):

1.CHETAN PONNURU

Counsel for the Respondent/complainant:

1.PUBLIC PROSECUTOR

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA**CRIMINAL PETITION NO: 4051 OF 2026****ORDER:**

This Criminal Petition, under Sections 480 and 483 of the BNSS, has been filed by the petitioners herein/Accused Nos.1 and 2, seeking regular bail, in Crime No.28 of 2026 of Ongole I Town Urban P.S., Prakasam District, registered for the offences punishable under Sections 8(C) r/w 20(b)(ii)(B) of Narcotic Drugs and Psychotropic Substances Act (for short "NDPS Act").

2. The brief facts of the case are that on 10.03.2026, on receipt of information about illegal possession and transportation of ganja, the Inspector of Police, Ongole I Town P.S., along with his staff and mediators, proceeded to Shadi Khana, near the Vegetable Market, Ongole, at about 18:30 hours and found the petitioners. On enquiry, they revealed that they used to purchase ganja from unidentified individuals from Barampuram, Odisha, and sell the same, and also stated that they used to steal cell phones. The police then seized 1.2 kgs of ganja, two motorcycles, and 19 cell phones under the cover of a mediators' report.

3. Heard Sri Chetan Ponnuru, learned counsel for the petitioners and Ms.K.Priyanka Lakshmi, learned Assistant Public Prosecutor representing on behalf of the State.

4. Learned counsel for the petitioners would submit that the petitioners have been falsely implicated in this crime and that they are in no way connected with the commission of the offence. Learned counsel would further

submit that the petitioners have been in judicial custody since 10.03.2026 and that the contraband involved in this case is only 1.2 kgs of ganja, which is a non-commercial quantity. The petitioners herein are the sole breadwinners of their families, and their continued incarceration would cause hardship to their dependents. Learned counsel further submits that the petitioners undertake 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 1.2 kgs of ganja, which is a non-commercial quantity. The petitioners have been in judicial custody since 10.03.2026. 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 view of the fact that the contraband involved in the present case is only 1.8 kgs of ganja, and considering the period of detention undergone by the petitioners/Accused Nos.1 and 2, this Court is inclined to enlarge the petitioners/Accused Nos.1 and 2 on bail, subject to the following conditions:

- i. The petitioners/Accused Nos.1 and 2 shall execute personal bonds for a sum of Rs. 20,000/- (Rupees Twenty Thousand only) with two sureties each for a like sum each, to the satisfaction of the learned II Additional Junior Civil Judge, Ongole.

- ii. The petitioners/Accused Nos.1 and 2 shall appear before the Investigating Officer as and when required and shall cooperate with further investigation, if any.
 - iii. The petitioners/Accused Nos.1 and 2 shall not directly or indirectly tamper with evidence nor influence, intimidate, or induce any prosecution witness.
 - iv. The petitioners/Accused Nos.1 and 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 petitioners/Accused Nos.1 and 2 shall not commit or indulge in commission of any offence in future.
 - vi. The petitioners/Accused Nos.1 and 2 shall surrender their passports, if any, to the concerned Court. If they claim that they do not have a passport, they 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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