



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: 11950/2025

Between:

1. SANDHAKA SRINU, S/O BHEEMANNA, AGE 28 YEARS, R/O PADALPUT VILLAGE, DHUBRIGUDA MANDAL, ASR DISTRICT.

...PETITIONER/ACCUSED

AND

1. THE STATE OF ANDHRA PRADESH, Rep. by the Station House Officer, Town Police Station, Vizianagaram Through Public Prosecutor, High Court of A.P.

...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 may be pleased to enlarge the petitioner/accused on regular bail in Crime No. 246/2025 of I Town Police Station, Vizianagaram, pending investigation and Pass such

Counsel for the Petitioner/accused:

1. APPA RAO KOTHURU

Counsel for the Respondent/complainant:

1. PUBLIC PROSECUTOR

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA**CRIMINAL PETITION NO: 11950/2025****ORDER :**

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.246 of 2025 of I Town Police Station, Vizianagaram District, registered for the offences punishable under Sections 20 (b) (ii) (c) read with 8(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity 'the NDPS Act') read with 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for brevity 'the BNS').

2. Heard Sri Appa Rao Kothuru, 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 Coordinate Bench of this Court, in Crl.P.No.294 of 2026 vide Order dated 16.01.2026, had already enlarged the Accused Nos.2 to 5 in the present crime on bail. 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 46 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. He would further

submit that the petitioner seeks to be enlarged on bail as the allegations against him are similar to those leveled against the accused Nos.2 to 5, who have already been granted bail and the change in circumstances. The petitioner was arrested on 18.07.2025. He has been in judicial custody since then.

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 petitioner/Accused has 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 him executing a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand Only) each with two sureties each for the like sum

each to the satisfaction of the learned Additional Judicial Magistrate of First Class, Vizianagaram.

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 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.

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: 11950 OF 2025

21.01.2026

UPS