

APHC010130372026



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

[3396]

WEDNESDAY, THE EIGHTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL PETITION NO: 1996/2026

Between:

1. MULAGAPAKA VENKATESH, S/O. APPARAO, A/30 YRS, BC-KUMMARL BY CASTE, N/O 1-2, NEAR NAGAMMATALI TEMPLE, TATIPAKA JAGANNADHA NAGARAM, TUNI, EAST GODAVARI DISTRICT. R/O SUJATHA NAGAR, CHINNAMUSIRIVADA, PENDURTHY, VISAKHAPATNAM

...PETITIONER/ACCUSED

AND

1. THE STATE OF ANDHRA PRADESH, Through Station House Officer, G Madugula Police Station, Represented by 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 Pleased to enlarge him on bail in connection with Crime no. 49 of 2025 of G.Madugula Police Station on such terms the Hon'ble Court deems fit and proper in the interest of justice.

Counsel for the Petitioner/accused:

1. DUGGIRALA SUBASH

Counsel for the Respondent/complainant:

1.PUBLIC PROSECUTOR

The Court made the following:

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA**CRIMINAL PETITION NO: 1996 OF 2026****ORDER:-**

The Criminal Petition has been filed under Sections 437 and 439 of the Code of Criminal Procedure, 1973 (for brevity 'the Cr.P.C.)/ 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.49 of 2025 of Gangaraju Madugula Police Station, Alluri Sitharama Raju District, registered against the Petitioner herein for the offences punishable under Sections 20(b)(ii)(C), 25 read with 8(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity 'the NDPS Act').

2. Heard Mr.Duggirala Subash, learned counsel for the petitioner and Ms.K.Priyanka Lakshmi, learned Assistant Public Prosecutor representing the respondent/State. Perused the record.

3. The case of the prosecution is that, on 05.12.2025 the petitioner/accused No.1 and two other accused were found in possession of 80 kgs of ganja while they were transporting the same.

4. The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in the alleged offence, without any cogent evidence linking to the commission of the crime. The learned

counsel for the petitioner would further submits that the wife of the petitioner suffering from sickle cell anemia and she is having painful episodes leading to collapses and also undergoing treatment for sepsis and the petitioner presence is very much needed with his wife and as there is no other male assistance to the petitioner's wife. The petitioner undertakes to abide by any condition that this Court may impose while granting bail to the petitioner.

5. The learned Assistant Public Prosecutor, submits that the petitioner, along with the other accused, was involved in dealing with 80 kgs of ganja. The investigation is at nascent stage and therefore urges this Court to dismiss the Criminal Petition.

6. The allegation against the petitioner/Accused No. 1 is that he was involved in dealing with 80 kg of ganja, which undoubtedly constitutes a commercial quantity. The petitioner was arrested on 06.12.2025 and has been in judicial custody since then. The petitioner is a permanent resident of East Godavari District and has a fixed place of abode. However, in view of the fact that the petitioner's wife is suffering from severe medical ailments and his presence is urgently required to attend to her, this Court is inclined to grant interim bail to the petitioner/Accused No. 1.

7. Considering the facts and circumstances of the case, particularly the present health condition of the petitioner's wife, this Court is inclined to grant interim bail to the petitioner/Accused No. 1 subject to the following conditions:

i) The petitioner/Accused No. 1 shall be released on interim bail on 19.03.2026 at 10:00 a.m., upon executing a personal bond for a sum of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties for a like sum each, to the satisfaction of the Jailer.

ii) The petitioner/Accused No. 1 shall surrender before the Superintendent, Central Prison, Visakhapatnam, on 01.04.2026 by 5:00 p.m., without fail.

8. In the result, the Criminal Petition is allowed to the extent indicated above.

DR.VENKATA JYOTHIRMAI PRATAPA, J

Date: 18.03.2026

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THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL PETITION NO: 1996 OF 2026

18.03.2026

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