

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
FRIDAY ,THE TWENTY FOURTH DAY OF MARCH
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE MS JUSTICE B S BHANUMATHI
CRIMINAL PETITION NO: 699 OF 2023



Between:

Ananda Pandi Raju @ Ananda Pandia, S/o. Raju, aged about 46
Years, Lingappanayakanoor Village, Timmanattam Post, Madurai District,
Tamilnadu State

... Petitioner/Accused-A3

AND

The State of Andhra Pradesh, Rep. by its Pubic Prosecutor, High Court of Judicature
of Andhra Pradesh At Amaravati.

...Respondent/Complainant

Petition under Section 437 & 439 of Cr.P.C, praying that in the circumstances
stated in the Memorandum of grounds filed in support of the Criminal Petition, the
High Court may be pleased to release the petitioner/A3 on bail in Cr.No. 73 of 2018
of Tsundur Police Station

The Petition coming on for hearing, upon perusing the Petition and the
Memorandum of grounds filed in support thereof and upon hearing the arguments of
SRI KAKUMANU JOJI AMRUTHA RAJU Advocate for the Petitioner, PUBLIC
PROSECUTOR, for the Respondent, The Court made the following.

THE HON'BLE MS JUSTICE B.S.BHANUMATHI

Criminal Petition No.699 of 2023

ORDER:

This Criminal Petition is filed by petitioner/A3 (Ananda Pandi Raju) under Sections 437 and 439 of the Code of Criminal Procedure, 1973 ('Cr.P.C') seeking regular bail in Crime No.73 of 2018 of T.Sundur Police Station, Guntur District, registered on 13.07.2018 for the offences punishable under Section 8(c) r/w 20(b) of NDPS Act, 1985.

2. Heard Sri. Kakumanu Joji Amrutha Raju, learned counsel for the petitioner/A3 and Sri. N. Shravan Kumar, learned Assistant Public Prosecutor representing the respondent/State.
3. The case of the prosecution is that on 13.07.2018, they found an abandoned Swift Dzire car bearing No. AP 21 BM 8773 parked in the road margin and when it was searched in the presence of the mediators, they found 240 kgs of ganja in 115 plastic carry bags and two spare number plates bearing No. AP 21 BX 1306. The petitioner was arrested on 14.10.2022 with the allegation that he is using the said car for

transportation of ganja, but the car stands in the name of his wife and that the petitioner gave it to A2 in this case for use to transport ganja.

4. Learned counsel for the petitioner submitted that except the alleged confession, there is no other material evidence to implicate the petitioner in the present crime.

5. Learned Assistant Public Prosecutor opposed the petition submitting that the wife of the petitioner has nothing to do with the commission of the offence, but since the petitioner is using the vehicle for transportation of ganja, he is implicated in the offence. He further submitted that petitioner is an accused in another crime in S.C.No.116 of 2021. He submitted that the charge sheet has not been filed so far. He stated that since the petitioner hail²₅ from other State i.e., Tamil Nadu, it would be difficult to secure his presence in the event of grant of bail and requested to impose necessary conditions in the event of grant of bail.

6. Perused the record.

7. Since the petitioner is not the owner of the vehicle nor was he found carrying the contraband or using the vehicle and it is only based on the alleged confession of the co-accused, he is implicated in the offence, the Court is satisfied that there are reasonable grounds to believe that the petitioner is not guilty of committing the offence. ^{Irrespective} ~~Suspension~~ of the other offences) pending against him, in so far as this case is concerned, he can be enlarged on bail, however, subject to certain conditions.

8. Accordingly, the Criminal Petition is allowed. The petitioner/A3 (Ananda Pandi Raju @ Anand Pandia S/o Raju) shall be released on bail on his furnishing personal bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) with two sureties (one of whom shall be a local) for the like sum each, to the satisfaction of the learned Additional Junior Civil Judge, Tenali and subject to complying the following conditions:

(i) The petitioner/A3 is directed to appear before the Station House Officer, T.Sundur Police Station, Guntur District, once in a week i.e., on every Sunday between 10:00 AM and

05:00 P.M. starting from the day of his release until further orders or filing of charge sheet, whichever is earlier.

(ii) The petitioner/A3 shall not directly or indirectly contact or threaten the witnesses under any circumstances and any such attempt shall be construed as an attempt of influencing the witness.

(iii) The petitioner/A3 shall cooperate with the investigation.

(iv) The petitioner/A3 shall not leave the jurisdiction without prior permission of the Court concerned.

Pending miscellaneous applications, if any, shall stand closed.

Sd/- S. SRINIVASA PRASAD
ASSISTANT REGISTRAR

//TRUE COPY//

For

SECTION OFFICER

To,

1. The Special Judge Constituted Under Narcotic Drugs and Psychotropic Substances Act-Cum-I Additional Sessions Judge, Guntur
2. The Additional Junior Civil Judge, Tenali
3. The Superintendent, Central Prison, Rajahmundry
4. The Station House Officer, T Sunduru Police Station, Guntur (New District name Bapatla)
5. One CC to SRI. KAKUMANU JOJI AMRUTHA RAJU Advocate [OPUC]
6. Two CCs to PUBLIC PROSECUTOR, High Court of Andhra Pradesh [OUT]
7. One spare copy

PSR

HIGH COURT

BSB,J

DATED:24/03/2023

BAIL ORDER

CRLP.No.699 of 2023

ALLOWED

