

(2025) 11 AP CK 0599

In the Andhra Pradesh High Court

Case No : Criminal Petition No: 11697 Of 2025

Chinnarasu Venkatesan & Ors

APPELLANT

Vs

State Of Andhra Pradesh

RESPONDENT

Date of Decision : 24-11-2025

Acts Referred:

Bharatiya Nagarik Suraksha Sanhita, 2023 — Section 480, 483
Andhra Pradesh Forest (Amendment) Act, 2016 — Section 20(1)(C)(ii), 20(1)(C)(iii),
20(1)(C)(iv), 20(1)(C)(vi), 20(1)(C)(x), 20(1)(d)(i)
Bharatiya Nyaya Sanhita, 2023 — Section 3(5), 49, 61(2), 303(2)
Andhra Pradesh Sandal Wood And Red Sanders Wood Transit Rules, 1969 — Rule 3(1)

Citation : (2025) 11 AP CK 0599

Hon'ble Judges : Dr Y. Lakshmana Rao, J

Bench : Single Bench

Advocate : Srinivasu L

Judgement

Dr Y. Lakshmana Rao, J

1. The Criminal Petition has been filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity 'the BNSS'), seeking to enlarge the petitioners/Accused Nos.2 & 3 on bail in OR.No.41/2-25-26 of FRO, Palamaner Range, Chittoor District for the offences under Sections 20(1) (C) (ii) (iii) (iv) (vi) and (x) of Andhra Pradesh Forest (Amendment) Act, 2016, Section 20(1)(d)(i) of the Andhra Pradesh Forest (Amendment) Act, 2016, Rule 3(1) of A.P.Sandal wood and Red Sanders Wood Transit Rules, 1969 and Under Section 303(2) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for brevity 'the BNS') and Sections 49 and 61 (2) of 'the BNS'.

2. The learned counsel for the Petitioner submits that the petitioners are innocent; they were falsely implicated in this case. They have not committed any offence. They are the sole breadwinners of their families. They are the permanent residents of Gudiyatham Taluq, Vellore District, Tamil Nadu State, and have a fixed abode. If they are enlarged on bail on any conditions, they may

comply with them, and it is urged to enlarge the petitioners on bail.

3. Per contra, Ms. P. Akhila Naidu, the learned Assistant Public Prosecutor, submits that the petitioners are habitual offenders; however, there is no record available about their previous offences. Investigation is pending, and some more witnesses are yet to be examined. Hence, it is urged to dismiss the petition.

4. On perusal of the record, the petitioners were arrested on 08. 10.2025, when they were allegedly transporting 61.00 Kgs of Red Sander wood in two logs. They have been in judicial custody for the past 47 days.

5. It is the case of the prosecution that Petitioner No.2/Accused No.3 is the friend of Accused No.1. Petitioner No.1/Accused No.2 acted as mediator, and he engaged Petitioner No.2/Accused No.3 for the transportation of two logs of red sander wood.

6. Considering the gravity and nature of the allegations leveled against Petitioner No.1/Accused No.2, this Court is inclined to dismiss the petition. Accordingly, the petition against Petitioner No.1/Accused No.2 is dismissed.

7. However, Petitioner No.2/Accused No.3 acted as the driver of the vehicle in which two logs of contraband were transported. Considering the nature of the allegations, which are milder, and the lesser gravity of the allegations against Petitioner No.2/Accused No.3, this Court is inclined to enlarge Petitioner No.2/Accused No.3 on bail.

8. In the result, the Criminal Petition is partly allowed with the following conditions:

i. The petitioner No.2/Accused Nos.3 shall be enlarged on bail subject to him executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties for the like sum each to the satisfaction of the learned Junior Civil Judge-Cum-Judicial Magistrate of First Class for Trial of Cases relating to Red Sanders Smuggling, Tirupati.

ii. The petitioner No.2/Accused Nos.3 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 No.2/Accused Nos.3 shall not leave the limits of the District without prior permission from the Station House Officer concerned.

iv. The petitioner No.2/Accused Nos.3 shall not commit or indulge in commission of any offence in future.

v. The petitioner No.2/Accused Nos.3 shall cooperate with the investigating officer in further investigation of the case and shall make himself available for interrogation by the investigating officer as and when required.

vi. The petitioner No.2/Accused Nos.3 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.