

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH**

Criminal Petition No.6986 of 2015

Between :-

M.Venkatesh Goud .. Petitioner

and

The State of Telangana.
Rep.by its Public Prosecutor,
High Court, Hyderabad .. Respondent

DATE OF JUDGMENT PRONOUNCED: 17th August, 2015

SUBMITTED FOR APPROVAL:

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THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

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|---|--------|
| 1. Whether Reporters of Local Newspapers
may be allowed to see the Judgment? | Yes/No |
| 2. Whether the copies of Judgment may be
marked to Law Reporters/Journals | Yes/No |
| 3. Whether His Lordship wish to see
the fair copy of the Judgment? | Yes/No |

HON'BLE SRI JUSTICE M.S.K.JAISWAL

Criminal Petition No.6986 of 2015

ORDER:-

This is a petition filed under Section 438 Cr.P.C., seeking anticipatory bail to the petitioner/accused No.1 in Cr.No.34/2015-16 of Prohibition & Excise P.S., Vikarabad, registered for the offence under

Section 8(c) read with 22 of the NDPS Act.

The allegations in brief are that on 22-04-2015 at about 1.10 p.m., the SHO, Vikarabad, inspected the TFT toddy shop at Kompally, counter No.1 and found the petitioner/accused conducting sales of toddy on behalf of TFT Licensee/A.2 and produced a copy of licence bearing No.317 issued by Prohibition & Excise Superintendent, Rajendranagar issued in the name of A.2. The Excise officials found 20 plastic crates each containing 12 bottles of toddy filled with 650 ml. They tested the toddy with prescribed chemicals and found it free from chloral hydrate, however, on suspicion, have drawn 3 sealed samples under a cover of panchanama and sent one of the samples to Government Chemical Examiner, Regional Proh.&Excise Laboratory for analysis. The Government Chemical Examiner tested the sample and opined that the sample is adulterated with Alprazolam.

Heard the learned Counsel appearing for the petitioner and the learned Public Prosecutor.

In view of the fact that the sample of toddy contained Alprazolam, which is a prohibited psychotropic substance, the petitioner/accused cannot be released on bail in the event of his arrest.

In the result, the Criminal Petition is dismissed.

M.S.K.Jaiswal, J

August, 2015

smr