

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

Criminal Petition No.7345 of 2015

Between :-

Goundla Mallesh 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.7345 of 2015

ORDER:-

This is a petition filed under Sections 437 and 439 Cr.P.C., for
bail to the petitioner/accused in Cr.No.244 of 2013-14 of Excise P.S.,

Marpally, registered for the offence under Section 8(c) read with 22 of the NDPS Act.

The allegations in brief are that on 03-07-2013 at about 01.30 p.m., the SFT Party, Hyderabad, inspected the toddy shop TFT Mominpet, counter No.7 and found 16 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, they 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.

It is submitted by the learned Counsel appearing for the petitioner/accused that he is in judicial custody since 29-06-2015 and that the material part of the investigation has been completed.

Learned Public Prosecutor, on the other hand, contends that the petitioner/accused cannot be released on bail in view of the nature of the allegations and investigation is still pending.

The material on record discloses that the samples drawn from the shop contain Alprazolam, which is a psychotropic substance and is prohibited. Considering the above facts and circumstances, the nature of the allegations, the petitioner is not entitled to the relief at present.

In the result, the Criminal Petition is dismissed.

M.S.K.Jaiswal, J

August, 2015

smr