

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No.3761 of 2016

ORDER:

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The petitioners, who are A1 and A2, filed the present application under Sections 437 and 439 of the Code of the Criminal Procedure (Cr.P.C.), seeking enlargement on bail in Crime No.10 of 2016 of Maredumilli Police Station, East Godavari District, registered for an offence punishable under Section 8 (c) read with Section 20 (b)(ii) of NDPS Act.

The case of the prosecution is that the Inspector of Police, Addategala Circle, who is In-Charge of Maredumilli Circle, on receiving credible information about illegal transportation of Ganja on 03.02.2016, he along with mediators reached Vetukuru Junction and found an Auto bearing No. TS 03 UA 5985 coming from Gurthedu Side. On seeing the police, the petitioners, who were traveling in the auto tried to escape, thereafter, the police detained them and on interrogation they revealed their identity and confessed that they are in possession of Ganja. On search, the police officials found 94 Kgs. of Ganja in the Auto, seized the contraband in the presence of mediators and arrested the accused. Basing on the said arrest and seizure, the present case came to be registered.

Learned counsel for the petitioners mainly submits that the petitioners were arrested on 03.02.2016 and since the investigation is completed, they may be released on bail.

Learned public prosecutor opposed the application.

A perusal of the remand report would show that 94.6Kgs. of Ganja is alleged to have been seized from Auto in which these two petitioners were traveling. No explanation is forthcoming as to the possession of the Ganja in the Auto. Further there is no material to show that the petitioners are innocent of the offences alleged and as per remand report, investigation is still pending.

Having regard to the fact that the quantity of the contraband seized is commercial quantity; in view of the bar under Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985 and since the investigation is still pending, I am not inclined to grant bail to the petitioners.

Accordingly, the Criminal Petition is dismissed.

C. PRAVEEN KUMAR, J

30.03.2016

vhb

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