

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

Criminal Petition No.3879 of 2016

ORDER :

The petitioner, who is accused No.4, filed the present application under Sections 437 and 439 Cr.P.C. seeking enlargement on bail in NCBF No.48/1/2/2013 by NCB, BZU on the file of the Narcotic Control Bureau. A complaint was filed by the Intelligence Officer, Narcotic Control Bureau, Hyderabad against the petitioner and others for the offences punishable under Section 8 (c) read with Sections 22, 28 and 29 of NDPS Act, 1985. The said case was taken on file as S.C.No.39 of 2014 on the file of Metropolitan Sessions Judge, Cyberabad-cum-I Additional District & Sessions Judge, Ranga Reddy District at L.B.Nagar.

The case of the prosecution is as under :

On a specific information that the Psychotropic Substance was being delivered, a team of officials of Narcotic Control Bureau (NCB) proceeded to Room No.304, Vishnupriya Lodge at Kukatpally, Hyderabad along with mediators on 26-11-2013 and found A-1 to A-3 in the said room. Notice under Section 50 of NDPS Act was served and the contents of the Rexene bag found in the room when tested was found to contain Amphetamine. The total quantity of Amphetamine found was 5.225 kgs. Samples were drawn and sealed as per the procedure, under a panchanama, in the presence of mediators. The statements of the accused Nos.1 to 3 were recorded under Section 67 of the NDPS Act, wherein they have confessed to have been manufacturing Methamphetamine at Balaji Labs, Jeedimetla. Accordingly, the NCB officials raided Balaji Labs, Jeedimetla, found

A-4 to A-6 in the laboratory and about 5.7 kgs. of Amphetamine was

found in the said lab apart from a cash of Rs.15 lakhs with A-6. All the accused were arrested and produced before the Court.

A perusal of the material shows that the petitioner filed Criminal Petition No.2842 of 2014 seeking bail, which was dismissed by this Court on 19-03-2014. Thereafter, the petitioner filed Criminal Petition No.13504 of 2014 again seeking bail, which was also dismissed by this Court on 19-11-2014.

Having regard to the fact that applications filed by the petitioner were dismissed by taking into consideration the nature of allegations made and since the quantity of contraband seized is commercial quantity, the request of the petitioner cannot be considered.

However, considering the facts and circumstances of the case, the Metropolitan Sessions Judge, Cyberabad-cum-I Additional District & Sessions Judge, Ranga Reddy District is directed to dispose of the S.C.No.39 of 2014 as early as possible, preferably within a period of six months from the date of receipt of a copy of the order.

With the above direction, the Criminal Petition is disposed of.

JUSTICE C. PRAVEEN KUMAR

28.03.2016

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