

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

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CRIMINAL PETITION No.11152 OF 2016
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ORDER:

Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor. Perused the material on record.

2. The present Criminal Petition came to be filed by the petitioners/accused under Section 482 Cr.P.C., seeking relaxation of conditions imposed in CrI.M.P.No.1589 of 2016 in Crime No.28 of 2016 of Narsipatnam Rural Police Station, by the Metropolitan Sessions Judge-cum-Special Judge to try offences under NDPS Act, Visakhapatnam vide order dated 15.07.2016.

3. The Court below granted bail subject to the condition that the petitioners shall execute a personal bond for a sum of Rs.10,000/- with two Government sureties. Out of which, one surety must be from the native place of the accused and another surety from Visakhapatnam, of like sum each to the satisfaction of the Additional Judicial First Class Magistrate, Narsiptnam, subject to verification as to genuinity. The petitioners were further directed to surrender their passports, if any, before the concerned Magistrate. The petitioners and the sureties shall submit attested copies of Aadhar Card, Voter ID, Ration Card, if any besides identity proof; shall co-operate with the investigation agencies and shall not influence, induce or threaten the witnesses in any manner. The petitioners were further directed to appear before the concerned Police Station on every Sunday between 10:00 A.M., and 5:00 P.M., for a period of three months or till filing of charge sheet, whichever is earlier.

4. Learned counsel for the petitioners submits that the petitioners are not in position to get Government sureties and the order granting bail is virtually defeated by reason of the said condition.

5. Learned Additional Public Prosecutor opposed the same.

6. Having regard to the facts and circumstances of the case, the request of the petitioners can be considered to the extent of furnishing Government sureties.

7. Accordingly, the petitioners shall be released on bail on their executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties for a like sum each to the satisfaction of the Additional Judicial Magistrate of First Class, Narsiptnam. Out of two sureties, one surety must be from the native place of the petitioners and another surety must be a local surety. Both the sureties shall produce proof of their residence as directed earlier and the Magistrate concerned shall verify the antecedents and proof of residence of the sureties before accepting them. All other conditions shall remain unaltered.

8. Accordingly, the Criminal Petition is disposed of.

JUSTICE C. PRAVEEN KUMAR

Date:28.07.2016

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