

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No.10138 of 2016

ORDER:

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The petitioners, who are A4 and A5 in Crime No.152 of 2016 of III Town (L&O) Police Station, Rajamahendravaram, filed the present application under Sections 437 and 439 of Cr.P.C., seeking enlargement on bail in the above Crime registered for an offence punishable under Section 8 (a)(c) read with Section 20 (b)(ii)(c) of NDPS Act.

The case of the prosecution is that on 22.03.2016, on receipt of credible information about illegal transportation of Ganja, the Inspector of III Town Police Station along with other staff stopped the vehicle on Katheru bridge under suspicious circumstances, arrested the accused due to their involvement in transportation of ganja from East Godavari to Karnataka State. A1 to A5 present in the vehicle were arrested and about 1160 Kgs. of ganja and cash of Rs.70,000/-, all worth Rs.20 lakhs was seized from the possession of the accused. After completing the mandatory requirements and basing on the said search and seizure, the present case came to be registered.

Heard learned counsel for the petitioners and learned Public Prosecutor appearing for the respondent-State.

Learned counsel for the petitioners mainly submits that there is absolutely no material to show that the petitioners are involved in the transportation of ganja. Similarly, he also refers to the statement of A5, wherein it has been mentioned that he is cleaner of the vehicle owned by A4 and was aiding him, for which he was paid Rs.1,000/- towards expenses.

Learned public prosecutor strenuously opposed the application.

As seen from the record, this Court, earlier rejected the bail application filed by the petitioners and others in CrI.P.No.7389 of 2016, vide order dated 02.06.2016. There being no changed circumstances till today either in law or in facts, I am not inclined to grant bail to the petitioners.

Apart from that, the material on record discloses that both the petitioners were in vehicle at the time when it was intercepted. Further, the total ganja seized from the vehicle weighs about 1160 Kgs., which is a commercial quantity.

In view of the above circumstances and since the investigation is still pending, the request of the petitioners cannot be considered.

Accordingly, the Criminal Petition is dismissed.

C. PRAVEEN KUMAR, J

20.07.2016

vhb

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