

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

[Special Original Jurisdiction]

MONDAY THE FOURTEENTH DAY OF NOVEMBER
TWO THOUSAND AND SIXTEEN

PRESENT
HONOURABLE SRI JUSTICE SURESH KUMAR KAIT

CRIMINAL PETITION NO. 15161 OF 2016

Between:

Gudlapalli Shiva Reddy ... Petitioner/A-10

V/s.

The State of Telangana
Represented by its Public Prosecutor [TG]
High Court of Judicature for the State
Of Telangana & Andhra Pradesh,
Hyderabad. ... Respondents/Accused
Through the Station House Officer,
Elkaturthy Police Station
Karimnagar district.

Counsel for the Petitioner: Sri Shankara Srinivas Rao

Counsel for the Respondent: Public Prosecutor [TG]

The court made the following: [order follows]

HONOURABLE SRI JUSTICE SURESH KUMAR KAIT**CRIMINAL PETITION NO. 15161 OF 2016****ORDER :**

This Criminal Petition is filed by the petitioner/A-10 under section 437 and 439 of Cr.P.C., seeking to enlarge him on bail in Crime No. 65 of 2016 of Elkaturthy Police Station, Karimngar district, registered for the offences under section 8 [c] read with section 20 [b] of Narcotic Drugs and Psychotropic Substances Act, 1985.

2. The prosecution case is that on 10/5/2016 hours the Investigating Team went to checking at Elkathurti Check Post and started checking at about 10:00 hours. They found a van bearing No. MP-43-G-1431 came from Warangal side. The complainant along with his force intercepted the said van A person got down from the vehicle and tried to escape from the place, however, the police caught hold him. On interrogation, he confessed that they were transporting the ganja, which was kept in a secrete place in the cabin. After addressing letter to Tahsildar and intimation to MPDO

Elkaturthy and in turn the Tahsildar visited the place and recorded confession and recovery panchanama by recovering ganja of 93 packets; each packet containing 2 KG and 200 grams and total worth of said ganja is Rs.10,23,000/-.

3. Learned Additional Public Prosecutor appearing on behalf of the State has informed this Court that the petitioner is a habitual offender and other similar crime against him was registered vide Crime No. 75 of 2016 of Police Station, CCS DD Hyderabad for the offence under section 8 [c] read with section 20 [b] of Narcotic Drugs and Psychotropic Substances Act, 1985.

4. The quantity of ganja i.e., 200 Kgs, which comes to commercial quantity and Section 37 of Narcotic Drugs and Psychotropic Substances Act, comes into play. However, another crime was also registered against the petitioner/A-10.

5. In view of the facts recorded above, I am not inclined to admit the petitioner/A-10 on bail.

6. Accordingly, this Criminal Petition is dismissed.

7. As a sequel, miscellaneous petitions if any pending in this Criminal Petition shall stand disposed of.

JUSTICE SURESH KUMAR KAIT.



14/11/2016
I s L

HONOURABLE SRI JUSTICE SURESH KUMAR KAIT

CRIMINAL PETITION NO. 15161 OF 2016



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