

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No.13345 of 2016

ORDER :

1) The petitioner, who is accused No.1 in Crime No.25 of 2016 of Maredumilli Police Station, East Godavari District, filed the present Criminal Petition under Sections 437 and 439 Cr.P.C. seeking enlargement on bail in the above crime, registered for the offences punishable under Sections 8 (c) read with 20 (b) (ii) (C) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2) The case of the prosecution is that on 12.06.2016 at about 5.30 p.m. on receipt of credible information with regard to transportation of ganja in a lorry, the Inspector of Police, Maredumilli along with his staff and mediators proceeded to Vetukuru junction and conducted vehicle checking. At about 6.00 a.m. a motor cycle bearing No.AP 31 DE 6186 came from Maredumilli side in high speed. Behind the said motor cycle, one car bearing No.AP 09 CK 4380 also came in high speed and behind the car one lorry bearing No. AP 5 X 2349 was there. Then, the Inspector stopped the said three vehicles. Six persons, who got down from the three vehicles tried to skulk away, but the Inspector of Police chased and apprehended them. On search they found 700 kgs. of ganja in the lorry which was kept in a secret manner concealed in the plastic drums. After complying with the mandatory requirements, the police seized the vehicles along with

contraband. Basing on the search and seizure the above case came to be registered.

3) Heard learned counsel for the petitioner and Public Prosecutor appearing for the respondent-State.

4) Learned counsel for the petitioner submits that the petitioner is innocent of the offence and no ganja was seized from the car in which the petitioner was traveling. He also submits that the petitioner is in jail from 12.06.2016 and hence seeks bail.

5) Learned Public Prosecutor opposed the application.

6) It is true that the petitioner was traveling in a car and no ganja was recovered from the car, but the material placed before the Court and confession recorded by the police reveal that it is the petitioner, who purchased the ganja, loaded the same in the lorry and was escorting the said lorry on a motor cycle. Since huge quantity of ganja was recovered and as the case is still at the stage of investigation, this Court is of the view that it may not be proper to grant bail at this stage.

7) Accordingly, the Criminal Petition is dismissed.

JUSTICE C. PRAVEEN KUMAR

19.09.2016
gkv

