

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

TUESDAY, THE SIXTEENTH DAY OF FEBRUARY,
TWO THOUSAND AND SIXTEEN

:PRESENT:

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

CRLP .NO: 1534 of 2016

Between:

Mohammad Althaf, S/o. Abdul Latheef

..... Petitioner/
Accused No.3

AND

State of Andhra Pradesh, rep. by its Public Prosecutor, High Court of
Judicature at Hyderabad for the State of Andhra Pradesh, through
Station House Officer, Mothugudem P.S., East Godavari District,
Andhra Pradesh.

.....Respondent/
Complainant

Petition under Sections 437 & 439 of Cr.P.C. praying that in the
circumstances stated in the petition filed herein, the High Court may
be pleased to pass an order by enlarging the petitioner herein on bail
in Crime No.2 of 2016 of Mothugudem P.S., East Godavari District in
the interests of justice and impose as such other condition.

The petition coming on for hearing, upon perusing the Petition filed
in support thereof and upon hearing the arguments of Sri CHANDRA
SEKHAR ILAPAKURTI, Advocate for the Petitioner and of the learned
Public Prosecutor (AP) for the Respondent-State, the Court made the
following

ORDER:

The petitioner, who is accused No.3, filed the
present application under Sections 437 and 439 Cr.P.C.
seeking enlargement on bail in Crime No.2 of 2016 of
Mothugudem Police Station, East Godavari District,
which was registered for an offence punishable under
Section 8 (c) read with 20 (b) (ii) (B) of the Narcotic
Drugs and Psychotropic Substances Act, 1985.

The allegations in the report are as under:

On 11.01.2016 at about 2.00 p.m. on receipt of
reliable information about the transportation of ganja,
the Inspector of Police, Chintoor Circle went to
Y.Junction, Polluru Village, Chintoor Mandal and found
three persons with 6 kgs. of ganja. The said contraband
was seized in the presence of mediators. Basing on the
said search and seizure the above crime came to be
registered.

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

The main ground urged by the learned counsel for the petitioner is that the allegations made against the petitioner are incorrect and even accepting the case of the prosecution to be true no serious offence is made out against the accused.

On the other hand, the learned Public Prosecutor submits that stringent conditions may be imposed as it is difficult for the police to secure the presence of the petitioner if he is released on bail.

Having regard to the quantity of ganja seized and the petitioner is in jail since 11.01.2016, I am inclined to grant bail to the petitioner on certain terms and conditions.

Accordingly, the Criminal Petition is allowed and the petitioner shall be released on bail on executing a personal bond for Rs.20,000/- (Rupees twenty thousand only) with two local sureties to the satisfaction of the Judicial Magistrate of First Class, Rampachodavaram, East Godavari District and on further condition that he shall appear before the Station House Officer, Mothugudem Police Station, twice in a week i.e. on every Tuesday and Saturday in between 10.00 a.m. and 1.00 p.m., till filing of the charge sheet and thereafter once in a week i.e. on every Saturday till the completion of the trial.

Sd/- N. Purushotham Reddy
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

- 1 The I Additional District and Sessions Judge, East Godavari at Rajahmundry.
- 2 The Judicial First Class Magistrate, Rampachodavaram, East Godavari District.
- 3 The Superintendent, Central Prison, Rajahmundry, East Godavari District.
- 4 The Station House Officer, Mothugudem P.S., East Godavari District.
- 5 One CC to Sri CHANDRA SEKHAR ILAPAKURTI, Advocate (OPUC)
- 6 Two CCs to Public Prosecutor (AP), High Court of Judicature at Hyderabad. (OUT)
- 7 One spare copy.

Note: substitute the name of the Court to which satisfaction of the bail bonds shall be furnished in the order dated 16-02-2016 in CrI.P.No. 1534 of 2016 as per Court order dated 03-06-2016 in CrI.P.MP.No. 8458 of 2016, substitute, this amended order in place of

earlier order, which was already dispatched on 17-02-2016.

Sd/- N. Purushotham Reddy
Asst. Registrar

HIGH COURT

CPK,J

DATE: 16-2-2016
(AMENDED DATE: 03-06-2016)

ORDER
(AMENDED ORDER)

CRL.P. NO. 1534 OF 2016

DIRECTION

Nnr
Date of Drafting: 17-02-2016

HIGH COURT

CPK,J

DATE: 16-2-2016

ORDER

CRL.P. NO. 1534 OF 2016

DIRECTION