

HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

CRIMINAL PETITION No.6348 of 2016

ORDER:

The petitioner, who is accused No.1, filed the present application under Section 437 and 439 Cr.P.C. seeking enlargement on bail in Crime No.109 of 2015 of V.Madugula Police Station, Visakhapatnam City, registered for an offence punishable under Section 20 (b) (i) read with 8 (c) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

The case of the prosecution is that on 05.10.2015 at about 5.30 p.m. on receipt of credible information, the Excise Officials went to the outskirts of Satyavaram Village fields and found accused Nos.1 and 2 in possession of 100 kgs. of ganja packed in five gunny bags. Basing on the search and seizure and after complying with the mandatory requirements the present case came to be registered.

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

Learned counsel for the petitioner submits that entire investigation is over and the police filed charge sheet.

A perusal of the material on record would show that earlier the petitioner filed Criminal Petition No.2600 of 2016, which was dismissed by this Court on 04.03.2016. Thereafter, the present application is again filed seeking same relief. In the absence of any change in the circumstances of the case and since the order passed by this Court has become final as the same is not challenged, the question of considering the request of the petitioner would not arise. Hence, the request of the petitioner can be rejected. However, the

petitioner is always at liberty to move the trial Court after filing of charge sheet, in which event, the same shall be dealt with in accordance with law.

Accordingly, the Criminal Petition is dismissed.

C. PRAVEEN KUMAR, J

29.04.2016

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