

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

[Special Original Jurisdiction]

MONDAY THE SEVENTEENTH DAY OF OCTOBER
TWO THOUSAND AND SIXTEEN

PRESENT
HONOURABLE SRI JUSTICE SURESH KUMAR KAIT

CRIMINAL PETITION NO. 14463 OF 2016

Between:

Gorripudi Venkataramana ... Petitioner/A-3

V/s.

The State of Andhra Pradesh
Represented by its Public Prosecutor
High Court of Judicature for the State
Of Telangana & Andhra Pradesh,
Hyderabad. ... Respondent



Counsel for the Petitioner: Sri Seetharam Chaparla

Counsel for the Respondents: Public Prosecutor [AP]

The court made the following: [order follows]

HONOURABLE SRI JUSTICE SURESH KUMAR KAITCRIMINAL PETITION NO. 14463 OF 2016O R D E R :

This Criminal Petition is filed by the petitioner/A-3 under section 437 and 439 Cr.P.C. seeking to enlarge him on bail in Crime No. 21 of 2016 of Mothugudem Police Station, East Godavari district, registered for the offences under section 439 IPC and section 8 [c] read with Section 20 [b] [ii] [c] of Narcotic Drugs and Psychotropic Substances Act, 1985.

2. The case of the prosecution is that on 20/6/2016 at about 12:30 p.m., the Inspector of Police, Chintoor Circle, while he was present in Mothugudem Police Station received reliable information about the transportation of ganja in a car from Mothugudem to Bhadrachalam, as such, he secured the presence of Tahsildar, Chintoor Mandal and another person to act as mediators and also secured electronic weighing machine and other police staff. He intimated the information to Assistant Superintendent of Police, Rampachodavaram and proceeded to Lakkavaram junction, Chadalawada Panchayat, Chintoor Mandal and found a Maruthi Suzuki Esteem Car, came to the center and the driver and another two persons got down from the car and they tried to escape on seeing the police. On that police surrounded them and searched them and obtained identity particulars and searched the car and found 140 Kgs of ganja in seven plastic gunny bags, which is said to be worth of

Rs.4,20,000/-. The petitioner and other accused confessed that they are transporting the ganja weighing 140 Kgs.

3. It is alleged that A-1 and A-2 are said to have played their role in transportation of ganja. Police claimed to have lifted the samples and arrested the accused under the cover of Mahazarnama.

4. Sri Seetharam Chaparla, learned Counsel for the petitioner/A-3 submits that the petitioner is A-3 in the above crime. He was a driver of Maruthi Suzuki Esteem Car engaged by A-1 to collect some goods from Rajahmundry. However, instead of collecting the goods from Rajahmundry, he collected the ganja mentioned above.

5. Learned counsel for the petitioner/A-3 further submits that A-1 is a king-maker of the crime, he was enlarged on bail by this Court, vide order dated 17/9/2016 passed in CrI.MP.No. 12607 of 2016. The role of the petitioner/A-3 is lesser than A-1, he is entitled for bail.

6. The admitted case of the petitioner is that he was engaged by A-1 to collect goods from A-5. It is also an admitted case that the registered owner of the said car is A-5. The petitioner/A-3 is having acquaintance and known to A-5, who is a registered owner of the said car and A-1 directed the petitioner/A-3 to collect the goods from A-5. Therefore, the petitioner understood and got knowledge of what goods to be collected from A-5. On 20/6/2016 at 2:45 p.m., the petitioner/A-3 along with two others reached near Lakkavaram 'Y' junction the Police intercepted the car and found 140 Kgs of ganja

in the dicky of the Maruthi Suzuki Esteem car bearing No.AP-30C-7378, which the petitioner is driver.

7. Keeping in view the serious allegations against the petitioner/A3 and the seized ganja weighing 140 Kgs and having regard to the nature and gravity of the offence, I am of the opinion that there is embargo contemplated under section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985, the petitioner/A-3 does not deserve to be enlarged on bail at this stage.

8. Accordingly, this Criminal Petition is dismissed.

9. As a sequel, miscellaneous petitions if any, pending in this criminal petition shall stand closed.



JUSTICE SURESH KUMAR KAIT.

HONOURABLE SRI JUSTICE SURESH KUMAR KAIT

CRIMINAL PETITION NO. 14463 OF 2016



Date: 17/10/2016
Circulation No.
Court Master: I s L

