

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No.13613 of 2016

ORDER:

Heard learned counsel for the petitioners and learned Additional Public Prosecutor.

2. The petitioners, who are A1 to A4 in Crime No.108 of 2016 of Narsipatnam Town Police Station, filed the present application under Sections 437 and 439 of Cr.P.C. seeking enlargement on bail in the above crime, registered for an offence punishable under Section 8(c) read with Section 20 (b)(ii) of NDPS Act.

3. The case of the prosecution is that on 26.07.2016, on receipt of credible information about illegal transportation of ganja, the Inspector of Police along with his staff and mediators proceeded towards B.T.Road, situated opposite K.V.R.Function hall and found one car bearing No.AP 28 BE 6969 coming with 5 persons. On seeing the police, the inmates tried to escape, but however, the police party could successfully apprehend them. On search, 90 Kgs. of ganja was seized from the vehicle. Basing on the said arrest and seizure, the present crime came to be registered.

4. Learned counsel for the petitioners mainly submits that since the entire investigation is over and as the petitioners are in jail from 26.07.2016, he seeks bail.

5. Learned Additional Public Prosecutor opposed the application.

6. As seen from the record, total quantity of ganja seized from the vehicle in which the petitioners were present, is 90 Kgs., which is a commercial quantity.

7. In view of the above and since investigation is still pending, the request of the petitioners cannot be considered.

8. Accordingly, the criminal petition is dismissed.

JUSTICE C. PRAVEEN KUMAR

28.09.2016
vnb

