

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No. 13220 OF 2016

ORDER:

Heard the learned counsel for the petitioner and the learned Public Prosecutor.

2. The present Criminal Petition came to be filed under Sections 437 and 439 Cr.P.C. by the petitioner/A.1 seeking enlargement on bail in Crime No.8 of 2016 of Maredumilli Police Station, East Godavari District, registered for the offences punishable under Section 8 (c) read with 20 (b) (ii) (c) of the NDPS Act.

3. The allegations in the charge sheet would go to show that petitioner/A.1 is resident of Khammampalli village, Narsampeta Mandal, Warangal District and does ganja business. A.6 used to sell ganja in the village and the petitioner was in the habit of purchasing ganja packets from A.6. The petitioner, in order to increase the business and to earn huge money, purchased Tata Xenon RX pickup goods vehicle bearing registration No.AP36TB 0959 for the purpose of transportation of ganja, and made alterations to it by fixing shells in the lower portion of trolley to keep ganja packets. A.6 introduced A.4 to A.1. About one month ago, A.1 purchased 100 Kgs of ganja in Bachali village, brought the same in his vehicle and kept it at Kammampalli. The said substance was purchased by A.5 in which he gained Rs.50,000/-.

It is further alleged that A.1 went to Bachali village during Sankranti festival, met A.4 and his friends A.7, A.8 and A.2. At his request, they accepted to arrange 80 Kgs of ganja and received Rs.50,000/- as advance, which was shared by them equally. A.4 informed A.1 over phone to come on 24.01.2016 for loading ganja. On 23.01.2016, A.1 engaged a driver (A.3) for transportation of ganja

in his van by paying an amount of Rs.10,000/-. On 24.01.2016 at about 10.00 AM, A.1 and A.3 left Khammampalli village in the van of A.1 and reached Maredumilli village, where A.7 and A.8 were present. They all left the said village to Patakota village, where A.2 came with 4 ganja bags with the help of coolies and informed A.1 that 40 packets each weighing 2 Kgs of ganja were kept in the 4 bags, and loaded the said packets in the crime vehicle, which was seized by police.

4. A perusal of the allegations in the charge sheet would go to show that petitioner/A.1 was procuring and transporting ganja to other places. Earlier, vide order dated 18.08.2016 in Criminal Petition No.11915 of 2016, this Court dismissed the request of the petitioner for grant of bail. No change, either on facts or on law, is noted, after the date of dismissal of the last bail application. There being no change in the circumstances of the case, and as the quantity of Ganja seized is commercial, the request of the petitioner to enlarge him on bail cannot be considered.

5. Accordingly, the Criminal Petition is dismissed.

JUSTICE C. PRAVEEN KUMAR

Date: 14.09.2016
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