

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION No.1410 OF 2017

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioners - accused Nos.2 and 3 viz., Pangi Koteswara Rao and Pangi Raja Rao, respectively, requesting to relax the conditions imposed by the learned Metropolitan Sessions Judge - cum - I Additional District and Sessions Judge, Visakhapatnam, by the order dated 09.02.2017 in Criminal M.P. No.327 of 2017 in Crime No.18 of 2017 of Kasimkota Police Station, Visakhapatnam.

2. Condition No.1 of the order under challenge is to the effect that the petitioners shall execute a personal bond for a sum of Rs.50,000/- each with two sureties each who shall furnish a fixed deposit for Rs.50,000/- each, drawn in the name of the Court, to the satisfaction of the learned II Additional Junior Civil Judge, Anakapalli and the bail is subject to genuineness of the sureties.

3. Sri M. Chalapathi, learned counsel for the petitioners, would represent that the petitioners alleged to have been found in possession of 24 Kilograms of *Ganja*, which is not a commercial quantity and, therefore, sought to relax the condition in its entirety, which request is opposed by the learned Additional Public Prosecutor for the State of Andhra Pradesh.

4. In a similar situation, earlier, this Court relaxed the said condition directing the sureties to furnish fixed deposit of Rs.25,000/- each as against Rs.50,000/-, as such, to that extent, the said condition is modified directing the sureties to furnish fixed deposit of Rs.25,000/- (Rupees twenty five thousand only) each, instead of Rs.50,000/-.

5. Accordingly, the Criminal Petition is disposed of modifying the order impugned to the extent indicated above. All other conditions remain unaltered.

As a sequel thereto, Miscellaneous Petitions, if any, pending in the Criminal Petition stand closed.

A. SHANKAR NARAYANA, J

February 17, 2017.
PV