

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION No.1011 OF 2017

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioners - accused Nos.1 & 2, respectively, requesting to relax condition No.1 imposed by the learned Metropolitan Sessions Judge - cum – I-Additional District and Sessions Judge, Visakhapatnam, by the order dated 23.12.2016 in Criminal M.P.No.4284 of 2016 in Crime No.210 of 2016 of Narsipatnam Police Station, Visakhapatnam.

The condition is to the effect that the petitioners/A.1 & A.2 shall execute personal bond of Rs.50,000/- with two sureties who shall furnish a fixed deposit of Rs.50,000/- each drawn in the name of the Court and the same shall be produced to the satisfaction of the Additional Judicial First Class Magistrate, Narsipatnam.

Sri Sravan Kumar Naidana, learned counsel for the petitioners, would represent that the petitioners along with another accused alleged to have been found in possession of 14 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.

In a similar situation, earlier, this Court relaxed the condition directing the sureties to furnish fixed deposit of Rs.25,000/- 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/-.

Accordingly, the Criminal Petition is allowed in part 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 7, 2017.

v v

