

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.6076 of 2017

ORDER:

1 This Criminal Petition is filed, by the petitioner/A.4, under Section 438 Cr.P.C., seeking anticipatory bail in Crime No.41 of 2015 on the file of Maredumilli Police Station, registered for the offences punishable under Sections 8(c) r/w 20 (b) (ii) (c) of NDPS Act r/w 34 of IPC.

2 Heard the learned counsel for the petitioner. The learned Additional Public Prosecutor opposed the bail petition.

3 The facts leading to the filing of the present petition, briefly, are that on 01.08.2015, some persons were transporting ganja in Bollero Max bearing No.AP 31 TC 5445. When the vehicle reached near Madduluru turning, the vehicle met with accident. The other accused with the help of the petitioner shifted the ganja from the vehicle to nearby bushes. The total ganja seized is 1004 kgs. The officials after following the due procedure registered the above case. The petitioner filed CrI.M.P.No.1154 of 2015 on the file of the Court of the I Additional District & Sessions Judge, Rajahmundry and the same was dismissed on 28.10.2015.

4 A perusal of the record prima facie reveals the role played by the petitioner in commission of the offence. The ganja seized is a commercial quantity and the investigation is still in progress. A perusal of the record further reveals that since the date of the alleged offence, the petitioner has been absconding.

5 Taking the gravity of the offence alleged to have been committed by the petitioner as well as the conduct of the petitioner in evading

arrest, into consideration, this Court is of the considered view that this is not a fit case to grant pre-arrest bail to the petitioner.

6 In the result, the petition is dismissed.

T.SUNIL CHOWDARY, J

Date: August 23, 2017

Kvsn

