

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION No.1010 OF 2017

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioners - accused Nos.1 to 4, 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 27.01.2017 in Criminal M.P.No.4669 of 2016 in Crime No.108 of 2016 of Narsipatnam Police Station, Visakhapatnam.

The condition is to the effect that the petitioners/A.1 to A.4 shall execute personal bond of Rs.1,00,000/- with two sureties who shall each furnish a fixed deposit of Rs.1,00,000/- 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 90 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.

Since the bail was granted by the learned Sessions Judge on the ground that the period of 180 days was over and charge sheet was not filed, the direction so far as furnishing of fixed deposit of

Rs.1,00,000/- each by the sureties is concerned appears to be onerous and, as such, the same is modified reducing to Rs.50,000/- each.

Accordingly, the Criminal Petition is allowed in part modifying condition No.1 in the order impugned to the extent indicated above, while maintaining the other conditions.

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

A. SHANKAR NARAYANA, J

February 7, 2017.

v v

