

THE HON'BLE SRI JUSTICE T. SUNIL CHOWDARY

CRIMINAL PETITION No.7734 of 2017

ORDER:

This petition is filed, by the petitioner-accused No.5, under Section 438 Cr.P.C., seeking anticipatory bail in Crime No.267 of 2017 on the file of the Station House Officer, Osmania University Police Station, Hyderabad City, registered for the offence punishable under Section 8(c) read with 21(b) of the Narcotic Drugs and Psychotropic Substances Act.

2. The learned counsel for the petitioner submitted that the petitioner was falsely implicated in this case. She further submitted that nothing was recovered from the possession of the petitioner; therefore it is a fit case to grant pre-arrest bail to the petitioner.

3. The learned Additional Public Prosecutor submitted that the petitioner was supplying the ganja and Methylene Di Oxy Methamphetamine (MDMA) drug to the students to sell the same to others for higher price.

4. It is the case of the prosecution that on 13.06.2017 the investigating agency recovered MDMA drug and ganja from the possession of accused Nos.1 to 4. It is the further case of the prosecution that the petitioner herein was supplying the ganja and MDMA drug to accused Nos.1 to 4. After completion of the necessary formalities, the Inspector of Police, Commissioner's Task Force, East Zone Team, Hyderabad, registered the above case.

5. The petitioner filed CrI.M.P.No.2456 of 2017 on the file of the Court of the II Additional Metropolitan Sessions Judge, Hyderabad, and the same was dismissed on 04.08.2017.

6. A perusal of the record reveals that on 13.06.2017 the Inspector of Police seized 30 grams of ganja and 22 grams of MDMA drug, which is a commercial quantity, from the possession of accused Nos.1 to 4. A perusal of the record *prima facie* reveals the role played by the petitioner in the commission of the offence. Whether the petitioner was falsely implicated or not will come to light during the course of investigation. While deciding the anticipatory bail petitions, the Court has to take into consideration the impact of the alleged offence on the society.

7. Taking into consideration the gravity of the offence alleged to have been committed by the petitioner, this Court is of the considered view that it is not a fit case to grant pre-arrest bail to the petitioner.

8. Accordingly, the Criminal Petition is dismissed.

T.SUNIL CHOWDARY, J

Date: 06.10.2017
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