

**HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY**

**CRL.P.No.511 OF 2017**

**ORDER:**

This criminal petition is filed under Sections 437 and 439 of Cr.P.C to enlarge the petitioner on bail, who is in judicial custody since 08.10.2016 in connection with Crime No.295 of 2016 of G.R. Police Station, Vijayawada, registered for the offences punishable under Section 8(c) read with Section 20(b)(ii)B of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the Act').

The case of the prosecution is that on 08.10.2016 at 05.00 hours, the Sub-Inspector of Police, Govt. Railway Police Station, securing the presence of mediators along with his staff, on receipt of reliable information proceeded to South side of Platform No.10, Vijayawada Railway Station, and on suspicion found the petitioner with a black colour luggage bag and on search, they found 20 kgs Ganja in contravention of Section 8(c) of the Act, which is punishable under Section 20(b)(ii)B of the Act.

The main contention of the petitioner is that entire investigation was completed and charge sheet was filed and the matter was posted to 04.01.2017 for hearing on charges and that the quantity involved in the offence is not commercial quantity and sought for bail.

Learned Additional Public Prosecutor representing the State of Andhra Pradesh contended that the petitioner is native of New Delhi and in case of his enlargement on bail, it is difficult to secure his presence and requested the Court to direct the Metropolitan

Sessions Judge to complete trial of the case within a time frame fixed by this Court and prayed to dismiss the criminal petition.

No doubt, the quantity involved in the offence is not a commercial quantity i.e. 20 kgs only, but the only apprehension of the learned Additional Public Prosecutor is that in the event of enlargement of the petitioner on bail, it is difficult to secure his presence and there is every possibility of jumping from bail, as the petitioner is native of New Delhi. Undoubtedly, charge sheet was filed and registered the crime as sessions case and the matter was posted for framing charges to 04.01.2017. In those circumstances, it is a fit case to direct the Sessions Judge to complete the trial of the matter on day to day basis within two months from the date of receipt of a copy of this order instead of enlarging the petitioner on bail and to avoid delay in disposal of the matter. If the trial Court failed to complete the above direction within time frame, the petitioner is at liberty to renew his request before the Sessions Judge.

With the above observations the criminal petition is dismissed.

Pending miscellaneous petitions in the petition, if any, shall stand closed.

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**M.SATYANARAYANA MURTHY,J**

30.01.2017  
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