

HON' BLE SRI JUSTICE M. SATYANARAYANA MURTHY

CRIMINAL PETITION No.2451 of 2017

ORDER:

This criminal petition is filed by the petitioners/ A.1 to A.4, under Sections 437 and 439 of Cr.P.C., to enlarge them on bail in Cr.No.35 of 2016 of PS Maredumilli, East Godavari District, registered for the offences punishable under Sections 8(c) read with Section 20(b)(ii)(c) of NDPS Act. The petitioners are in judicial custody since 20.07.2016.

2. The case of the prosecution is that on 20.07.2016 at about 7.30 a.m. the Inspector of Police, Maredumilli Circle, received credible information about illegal transportation of ganja by some persons and that pursuant to the said information, he along with staff and mediators, proceeded to Vetukuru junction of Maredumilli, where they found one Bolero jeep coming from Gurthedu side and on suspicion, they stopped the vehicle. The driver stopped the vehicle in a hurried manner and four persons from the vehicle got down and started running away and they were apprehended and on interrogation, they confessed about the commission of the offence. The police arrested the petitioners and seized the crime vehicle along with 180 kgs of ganja from the vehicle.

3. Learned counsel for the petitioners submits that the petitioners have nothing to do with the alleged seizure of ganja from the said vehicle and no recovery of ganja was made from their possession and that the petitioners are in judicial custody since 20.07.2016. He further submits that the police also filed charge sheet against the petitioners and it will take time for disposal of the case and seeks to enlarge them on bail.

4. The Additional Public Prosecutor (AP) opposed the bail

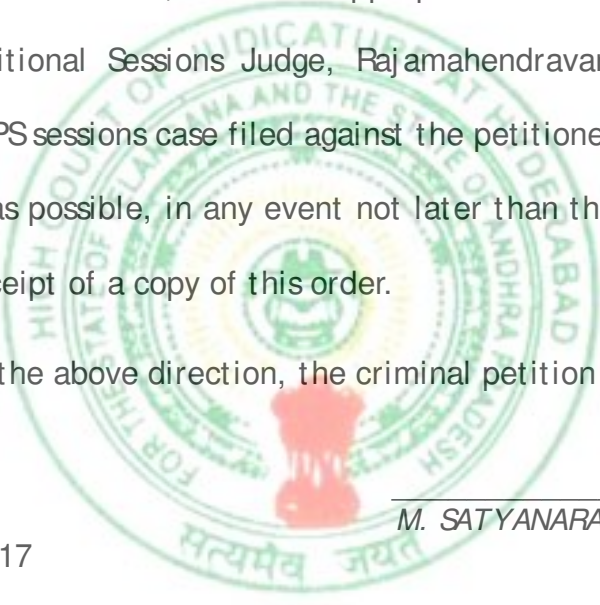
application and submits that huge quantity of ganja was seized from the possession of the petitioners and if they are enlarged on bail, they may not be available for trial and hence, they are not entitled for bail.

5. Though the investigation is completed and charge sheet was filed and the petitioners are in judicial custody since 20.07.2016, on that ground they are not entitled for bail, as huge quantity of ganja i.e., 180 kgs, was recovered from their possession, I find that this is not a fit case to enlarge the petitioners on bail.

6. However taking into consideration of the facts and circumstances of the case, I deem it appropriate to direct the Presiding Officer (I Additional Sessions Judge, Rajamahendravaram) to try and decide the NDPS sessions case filed against the petitioners/ A.1 to A.4, as expeditiously as possible, in any event not later than three months from the date of receipt of a copy of this order.

7. With the above direction, the criminal petition is disposed of.

Date: 04.04.2017
BSS

M. SATYANARAYANA MURTHY, J

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21

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