

THE HON'BLE SRI JUSTICE A.SHANKAR NARAYANA

CRIMINAL PETITION NO.1170 OF 2017

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioners – accused Nos.2 to 4 viz., Sunkara Srinuvasa Rao, Guda Simhadri and Pujari Pornarao requesting to relax condition No.1 imposed by the learned Metropolitan Sessions Judge-cum-I Additional District & Sessions Judge, Visakhapatnam, by the order dated 17.01.2017 in CrI.MP.No.21 of 2017 in Crime No.106 of 2016 of Devarapalli Police Station, Visakhapatnam.

2. The condition is to the effect that the petitioners shall execute a personal bond each for a sum of Rs.50,000/- each drawn in the name of the Court to the satisfaction of the Additional Judicial First Class Magistrate, Chodavaram and the bail is subject to genuineness of the sureties.

3. Sri Naidana Sravan Kumar, learned counsel for the petitioners, would represent that the petitioners alleged to have been found in possession of 5 Kilograms of *Ganja* each, 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.

4. In a similar situation, earlier, this Court relaxed the condition directing the sureties to furnish fixed deposit of R.25,000/- as against Rs.50,000/-, as such, to that extent the said contention is modified directing the sureties to furnish fixed deposit for Rs.25,000/- (Rupees twenty five thousand only) each instead of Rs.50,000/-.

5. Accordingly, the Criminal Petition is allowed in part modifying the order impugned to the extent indicated above. All other conditions remain unaltered.

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

(A.SHANKAR NARAYANA, J)

10th February 2017
RRB

