

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION No.1232 OF 2017

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioner - accused No.4 viz., Gopinayaka Vinod Kumar 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 20.12.2016 in Criminal M.P. No.4222 of 2016 in Crime No.85 of 2016 of Rolugunta Police Station, Visakhapatnam.

The condition is to the effect that the petitioner shall execute a personal bond of Rs.50,000/- with two sureties who shall each furnish a fixed deposit of Rs.50,000/- drawn in the name of the Court to the satisfaction of the Additional Judicial First Class Magistrate, Narsipatnam, and the bail is subject to verification of genuineness of the sureties.

Sri Naidana Sravan Kumar, learned counsel for the petitioner, would represent that the petitioner along with other five other accused alleged to have been found in possession of 100 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.

In a similar situation, earlier, this Court relaxed the condition directing the sureties to furnish fixed deposit of Rs.25,000/- as against Rs.50,000/-, as such, to that extent the said condition is modified

directing the sureties to furnish fixed deposit of Rs.25,000/- (Rupees twenty five thousand only) each instead of Rs.50,000/-.

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

February 13, 2017.

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