

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH
TUESDAY, THE TWENTY FIRST DAY OF NOVEMBER, TWO THOUSAND AND
SEVENTEEN**

: PRESENT :

THE HONOURABLE DR JUSTICE SHAMEEM AKTHER

CRLP .No. 10827 of 2017

Between:-

1.Devalam Krishna Singh, S/o. Laxman Singh. (A-7)

2.Sk. Shamsheer @ Shammu, s/o. Rahamathulla (A-8)

..... Petitioners/Accused Nos. 7 and 8

AND

The State of Andhra Pradesh, Rep. by Public Prosecutor,
High Court of Judicature at Hyderabad, For the State of Telangana and the
State of Andhra Pradesh.

.....Respondent/Complainant.

Petition filed under Sections 437 & 439 of Cr.P.C. praying that in the circumstances stated in the Grounds of Criminal Petition, the High Court may be pleased to direct the release the Petitioners on bail pending investigation, enquiry and trial in Crime No. 144 of 2017 of I Town Police Station, Kavali, Nellore District.

The petition coming on for hearing, upon perusing the memorandum of grounds filed in support thereof and upon hearing the arguments of Sri T. Nagarjuna Reddy, Advocate for the Petitioners and the Addl. Public Prosecutor(AP) for the Sole Respondent-State, the Court made the following **ORDER :-**

“This Criminal Petition is filed under Section 439 Cr.P.C. by the petitioners-A.7 and A.8 for grant of bail to them in Crime No.144 of 2017 of I Town Police Station, Kavali, SPSR Nellore District, registered for the offences under Sections 3 and 4 of the Gaming Act, 2005, and Section 20(b)(ii)(C) r/w Section 8(c) of the Narcotics Psychotropic Substances Act, 1985 (NDPS Act).

2. Heard Sri T. Niranjana Reddy, learned senior counsel representing Sri T.Nagarjuna Reddy, learned counsel for the petitioners-A.7 and A.8, and learned Additional Public Prosecutor appearing for the respondent-State, apart from perusing the material available on record.

3. The record shows that pursuant to the confession made by A.1 in this case, the petitioners-A.7 and A.8 were remanded in this case. Their bail application was dismissed by this Court on 19.09.2017 in CrI.P. No.8533 of 2017. These petitioners are also accused in Crime No.185 of 2017 of IV Town Police Station, Nellore, SPSR Nellore District, wherein it is alleged that as per the defence set up by these petitioners, they were taken to police custody on 21.07.2017, thereafter they were falsely implicated in this case, arrest was shown on 02.08.2017 and remanded to judicial custody in this crime and in Crime No.185 of 2017 of IV Town Police Station, Nellore. This Court granted bail to these petitioners in CrI.P. No.10830 of 2017 in Crime No.185 of 2017 of IV Town Police Station, Nellore, assigning number of reasons. This case is based only on the alleged confession of A.1. In view of the submissions made by both the counsel, it cannot be said that the petitioners would hamper the investigation or abscond or indulge in similar activities. It is also not correct to hold that these petitioners were trading ganja. In view of the nature of the accusations made against the petitioners-A.7 and A.8 and in view of completion of most part of the investigation, i.e., all the material witnesses were examined, it is not appropriate to deny the bail application of the petitioners-A.7 and A.8.

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4. In the result, the petitioners-A.7 and A.8 are ordered to be released on bail, on their executing personal bond for Rs.25,000/- (Rupees twenty five thousand only) each with two sureties each for a like sum to the satisfaction of the V Additional Judicial Magistrate of First Class, Nellore, SPSR Nellore District. On release, the petitioners-A.7 and A.8 shall not leave India without permission of the trial Court. The Criminal Petition is allowed accordingly. As a sequel, miscellaneous petitions, if any, pending in this Criminal Petition shall stand closed.”

ASSISTANT REGISTRAR

//TRUE COPY//

for ASSISTANT REGISTRAR

To

- 1.The I Additional District and Sessions Judge, Nellore, SPSR Nellore District.
- 2.The V Additional Judicial Magistrate of First Class, Nellore, SPSR Nellore District.
- 3.The Station House Officer, Kavali I Town Police Station, SPSR Nellore District.
- 4.The Superintendent, Central Prison, Nellore, SPSR Nellore District.
- 5.Two CCs to Public Prosecutor(AP), High Court of Judicature at Hyderabad (OUT)
- 6.One CC to Sri T. Nagarjuna Reddy, Advocate(OPUC)
- 7.One spare copy.

TKK



HIGH COURT

DR.SA.J

DT.21-11-2017.

BAIL ORDER



CRL.P.No. 10827 of 2017

**RELEASE THE PETITIONERS
ON BAIL**

**DRAFTED BY TKK
DT.21-11-2017.**

HIGH COURT

DR.SA.J

DT.21-11-2017.



BAIL ORDER

CRL.P.No. 10827 of 2017

**RELEASE THE PETITIONERS
ON BAIL.**