

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH
THURSDAY, THE SEVENTH DAY OF DECEMBER
TWO THOUSAND AND SEVENTEEN**

:PRESENT:
THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

CRL. P. NO:11705 of 2017

Between:

A. Srinivasa Rao S/o. Babu Rao,

..... Petitioner/Accused No.1

AND

The State of A.P Rep. by its Public Prosecutor, High Court at Hyderabad.

.....Respondent/Complainant

Petition under Sections 437 & 439 of Cr.P.C., praying that in the circumstances stated in the petition and the grounds filed herein, the High Court may be pleased may be pleased to enlarge the petitioner/Accused No. 1 on bail in connection with Crime No. 201/2016 of Tuni Rural Police Station, Tuni, East Godavari District.

Counsel for the Petitioner : SRI CH.DHANAMJAYA

Counsel for the Respondent : ADDL. PUBLIC PROSECUTOR (AP)

The Court made the following ORDER:

“Heard learned counsel for the petitioner/A.1, learned Additional Public Prosecutor for the respondent State and perused the record.

This petition is filed under Section 439 Cr.P.C. for grant of bail to the petitioner/A.1 in Crime No.201 of 2016 of Tuni Rural Police Station, East Godavari District, for the offence punishable under Section 8(c) read with Section 20(b)(ii)(c) of NDPS Act.

Learned counsel for the petitioner would submit that the petitioner is an innocent person and falsely implicated in this case. It is also contended that the father of the petitioner has to undergo heart surgery. The wife of the petitioner/accused is suffering from gynec problem. She requires treatment. The family of the petitioner wanted to arrange money for the aforesaid treatments by selling their house. In that process, presence of the petitioner/A.1 accused is required to register the conveyance in favour of the purchaser.

Learned Additional Public Prosecutor opposed the grant of regular bail to the petitioner as the ganja seized from the possession of the petitioner and others is 40 kgs. It is a commercial quantity.

Having regard to the submissions made by both sides and the material borne by the record, the petitioner is not entitled for regular bail. In view of the health problem of his father and wife and to sale the house and to register a proper conveyance in favour of the purchaser, the petitioner/A.1 can be granted interim bail for a period of two weeks commencing from 12.12.2017 to 25.12.2017.

In the result, the petitioner is granted interim bail from 12.12.2017 to 25.12.2017 i.e., for a period of two weeks on his executing a personal bond for Rs.10,000/- (Rupees ten thousand only) with two sureties for a like sum each to the satisfaction of learned I Additional District and Sessions Judge, East Godavari, Rajamahendravaram. On completion of the said period, the petitioner/A.1 shall surrender before the Superintendent, Central Jail, Rajamahendravaram by 10.30 a.m. on 26.12.2017. With this interim arrangement, the regular bail petition of petitioner/A.1 is dismissed.

//TRUE COPY//

Sd/- B.SATYAVATHI
ASSISTANT REGISTRAR

For ASSISTANT REGISTRAR

To

- 1. The I Addl. District and Sessions Judge, East Godavari District, Rajamahendravaram.**
- 2. The Addl. Judicial First Class Magistrate, Tuni, East Godavari District.**
- 3. The Station House Officer, Tuni Rural Police Station, Tuni, East Godavari District.**
- 4. The Superintendent, Central Jail, Rajamahendravaram, East Godavari District**
- 5. Two CCs to Public Prosecutor, (AP), High Court of Judicature, at Hyderabad (OUT)**
- 6. One CC to Sri Ch. Dhanamjaya, Advocate (OPUC)**
- 7. one Spare Copy**

AB
DRAFTED ON 8-12-2017

HIGH COURT

DR.SA,J

DATE: 7-12-2017



ORDER

CRL.P. NO. 11705 OF 2017

BAIL