

**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:11832 of 2017

Between:

Akula Rajaiah S/o Saraiah, aged 38 years, Occ Cooli, R/o Koppula Village of Shayampet
Mandal, Warnagal Dist

..... Petitioner/Accused

AND

The State of Telangana, Rep. by its Public Prosecutor, High Court Buildings, Hyderabad,
through PS Shayampet

.....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 to enlarge the petitioner/Accused on bail in connection with Crime No. 110/2017 before PS Shyampet for the offences under Sec. 8 (c) r/w 20 (b) (ii) (c) of NDPS Act;

Counsel for the Petitioner : SRI KIRAN PALAKURTHI

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

The Court made the following ORDER:

“Heard learned counsel for the petitioner/accused, 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/accused in Crime No.110 of 2017 of Shayampet Police Station, Warangal District, for the offence punishable under Section 8(c) read with Section 20(b)(ii)(c) of NDPS Act.

The earlier bail petition of the petitioner/accused was dismissed by this Court in Crl.P.No.10130 of 2017 dated 31.10.2017. It is submitted before this Court that this petitioner is suffering from 86% disability. His lower limbs are affected. It is very difficult for him to stay in jail during this winter season. The quantity of ganja alleged to have been seized from the residential house of the petitioner/accused is 34.5 kgs.

As the petitioner is a disabled person and is suffering from 86% disability relating to his lower limbs, it cannot be said that the petitioner would repeat similar offence in future.

Having regard to the nature of allegations and the investigation conducted so far, the petitioner/accused can be enlarged on bail.

In the result, the Criminal Petition is allowed and the petitioner/accused is ordered to be released on bail 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 the Judicial Magistrate of First Class, Parkal. On such release, the petitioner/accused shall attend before the Station House Officer concerned on every Sunday between 9.00 and 10.00 a.m. till filing charge sheet.”

//TRUE COPY//

ASSISTANT REGISTRAR

For ASSISTANT REGISTRAR

To

1. The Special Sessions Judge for NDPS Cases cum I Additional Sessions Judge, Warnagal.
2. The Judicial Magistrate of First Class, Parkal, Warangal District.
3. The Station House Officer, Shayampet Police Station, Warangal District
4. The Superintendent, Central Prison, Warangal.
5. Two CCs to Public Prosecutor (TS), High Court of Judicature, Hyderabad (OUT)
6. One CC to Sri Kiran Palakurthi, Advocate (OPUC)
7. One Spare Copy

HIGH COURT

**AB
DRAFTED ON 7-12-2017**

DR.SA,J

DATE: 7-12-2017

ORDER

CRL.P. NO. 11832 OF 2017



BAIL