

**SMT JUSTICE T.RAJANI**

**CRIMINAL PETITION No.1144 OF 2018**

**ORDER:**

This petition is filed, under Sections 437 and 439 of the Criminal Procedure Code, 1973, seeking to enlarge the petitioner, who is A2, on bail in Crime No.65 of 2017, on the file of Narsipatnam Rural Police Station, Visakhapatnam District, for the offences punishable under Sections 20(b)(i)(ii)(c), 25 r/w 8(c) of NDPS Act.

2. Heard the counsel for the petitioner and the Public Prosecutor appearing for the respondent.

3. The counsel for the petitioner submits that the petitioner has been suffering from HIV and that he needs to take treatment. But the public prosecutor, on the other hand, after taking time, on instructions, reports that the petitioner is not suffering from HIV. He also files the medical history of the petitioner, given by the Deputy Civil Surgeon, Central Prison, Visakhapatnam, wherein it was stated that the health condition of the petitioner is satisfactory and that he is not taking any medicines in the central prison.

4. Having considered the above facts, this Court opines that when the case involves commercial quantity, the petitioner will not be entitled for grant of bail.

5. Accordingly, the Criminal Petition is dismissed.

As a sequel, miscellaneous petitions pending consideration, if any, in this case shall stand closed.

**T.RAJANI, J**

**19.02.2018**  
**SS**