

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No.1426 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 A3, on bail in Crime No.40 of 2017 on the file of the Station House Officer, Chinturu Police Station, East Godavari District.

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

3. The Public Prosecutor brings to the notice of this court the earlier bail petition filed by this petitioner, which was dismissed, by considering the merits of the case, by this court by order, dated 26.07.2017, in CrI.P.No.6008 of 2017.

4. A perusal of the aforesaid order shows that, by considering the merits of the case, this court came to the conclusion that Section 37 of the NDPS Act does not permit the court to grant bail.

5. The counsel for the petitioner submits that A4 in this case was granted bail. But she herself submits that he is only a Driver of the crime vehicle.

6. Hence, in view of the above, this court opines that this is not a fit case for granting bail to the petitioner.

7. Accordingly, the Criminal Petition is dismissed. As a sequel, the miscellaneous applications, if any pending, shall stand closed.

T. RAJANI, J

February 15, 2018
LMV