

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND STATE OF ANDHRA PRADESH
FRIDAY THE SIXTEENTH DAY OF FEBRUARY
TWO THOUSAND AND EIGHTEEN**

:PRESENT:

THE HON'BLE SMT. JUSTICE T.RAJANI

CRIMINAL PETITION NO: 1530 OF 2018

Between:

Chintala Raj Kumar S/o Uppalaiah

Petitioner/Accused No. 1

AND

The State of Andhra Pradesh, through Station House Officer, Mothugudem Police Station,
East Godavari District, rep. by Public Prosecutor, High Court at Hyderabad.

Respondent

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 no.1 in Crime No. 24 of 2017 on the file of Mothugudem Police Station, East Godavari District;

Counsel for the Petitioner : SRI G.VENKATA REDDY

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

The Court made the following ORDER:

“This criminal petition, under Sections 437 and 439 of Cr.P.C., is filed by petitioner/A1 in Crime No.24 of 2017 of Mothugudem Police Station, East Godavari District, seeking bail.

2. The offences alleged against the accused are under Sections 8 (c) read with Section 20(b)(ii)(c) of NDPS Act, 1985.

3. Heard learned counsel for petitioner, learned Additional Public Prosecutor for the respondent-State and perused the record.

4. As per the case of prosecution, the quantity of ganja involved in this case is 200 Kgs, which is a commercial quantity and therefore, Section 37 of NDPS Act does not permit the Court to grant bail.

5. The counsel for petitioner submits that the petitioner has been suffering from paralysis and he produced a certificate issued by the District Hospital dated 12.02.2018, which shows that the petitioner took treatment for paralysis. He also filed medical record pertaining to the petitioner. He further submits that in spite of referring the petitioner to

various Government hospitals for treatment, there is no progress and therefore, the petitioner proposes to take treatment in a private hospital.

6. Though the commercial quantity of ganja was seized from the possession of accused, in the aforesaid circumstances, this Court is inclined to grant bail to petitioner.

7. Accordingly, the Criminal Petition is allowed. The petitioner/A1 is enlarged on bail on condition of his executing a personal bond for a sum of Rs.20,000/- (Rupees twenty thousand only) with two sureties for a like sum each to the satisfaction of the Judicial First Class Magistrate, Rampachodavaram.

8. Miscellaneous applications, 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, East Godavari District, Rajamahendravaram.
2. The Judicial First Class Magistrate, Rampachodavaram, East Godavari District.
3. The Station House Officer, Mothugudem Police Station, 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 G.Venkata Reddy, Advocate (OPUC)
7. one Spare Copy

HIGH COURT

TR,J

DATE:16-2-2018

ORDER

CRL.P. NO. 1530 OF 2018

BAIL



HIGH COURT

AB
DRAFTED ON 16-2-2018

TR,J

DATE:16-2-2018



ORDER

CRL.P. NO. 1530 OF 2018

BAIL