

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH
MONDAY, THE TWENTY SIXTH DAY OF FEBRUARY
TWO THOUSAND AND EIGHTEEN**

:PRESENT:

THE HON'BLE SMT. JUSTICE T. RAJANI

CRIMINAL PETITION NO: 1945 OF 2018

Between:

1. Vullingala Chiranjeevi S/o Sanjeva Rao
2. Sk. Burahan Saheb, S/o Yakub Ali

Petitioners/Accused No. 2 & 3

AND

The State of A.P., through Station House Officer, Parawada Police Station, Visakhapatnam City and 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 petitioners/accused Nos. 2 and 3 on bail in Crime No. 144 of 2017 on the file of Parawada Police Station, Visakhapatnam City and District.

Counsel for the Petitioners : SRI G.VENKATA REDDY

Counsel for the Respondent : PUBLIC PROSECUTOR, (AP)

The Court made the following:

“This Criminal Petition is filed seeking grant of bail to the petitioners, who are accused No.2 and 3, in Crime No.144 of 2017 of Parawada Police Station, Visakhapatnam registered for the offences punishable under Sections 8(c) r/w Section 20(b) of NDPS Act and 120B of IPC.

2. Heard the learned counsel for the petitioners, learned Public Prosecutor appearing for the respondent-State, and perused the record.

3. Counsel for petitioners submit that these petitioners are only driver and cleaner of the lorry, in which ganja was transported and that it is A1 who purchased the ganja.

4. The confession of 2nd petitioner shows that he was only asked to drive the lorry which contained ganja and that the 1st petitioner was cleaner on the said lorry. He does not anywhere mention that they were aware of the transactions, involving the contraband.

5. Hence, considering the same and more so, that the petitioners are languishing in jail since 05.10.2017, this Court opines that this is a fit case for grant of bail to the petitioners.

6. Therefore, this Criminal Petition is allowed. The petitioners/A2 and A3 are directed to be enlarged on bail, on condition of their executing a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties for a like sum each to the satisfaction of the V Metropolitan Magistrate, Anakapalli, Visakhapatnam District.

7. Consequently, miscellaneous applications, if any pending, shall stand closed.”

ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

1. The Metropolitan Sessions Judge cum Special for Trial of Offences under NDPS Act, Visakhapatnam.
2. The V Metropolitan Magistrate, Anakapalli, Visakhapatnam District.
3. The Station House officer, Parawada Police Station, Visakhapatnam City and District.
4. The Superintendent, Central Jail, Visakhapatnam.
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:26-2-2018

ORDER

CRL.P. NO. 1945 OF 2018

BAIL

