

HON' BLE SRI JUSTICE Dr. B. SIVA SANKARA RAO

CRIMINAL PETITION Nos.3142 and 3153 of 2018

COMMON ORDER:

Heard the learned counsel for the petitioner in the respective petitions, who is no other than A3 of S.C.No.8 of 2018 of Crime No.93 of 2017 of Prathipadu Police Station, East Godavari District, Andhra Pradesh and A5 of S.C.No.9 of 2018 of crime No.92 of 2017 of Prathipadu Police Station, East Godavari District, Andhra Pradesh and also heard the learned Public Prosecutor representing the State of Andhra Pradesh.

2. The cases were registered based on the so called seizure from the disclosure of conscious possession of the contraband of 100 Kgs. and 900 Kgs. respectively, besides the petitioner, there are other accused, registered under Section 8(c) r/w Section 20(b)(ii)(c) of the Narcotic Drugs and Psychotropic Substance Act, 1985, amended Act 9 of 2001 (for short 'the Act').

3. A perusal of the material on record no way discloses non-application of Section 37 of the Act for not able to show the twin conditions of reasonable grounds to believe that the accused is not likely to be convicted and he is not likely to commit any offence while on bail, which are the conditions cumulative and needless to say, not alternative.

4. Hence, these petitions are dismissed without prejudice to the defence. It is needless to say, as per the directions of the Apex Court in *Thana Singh v. Central Bureau of Narcotics*¹ to speed up the trial of the case by the trial Court.

5. Consequently, miscellaneous petitions, if any shall stand closed.

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 04.06.2018

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¹ 2013(2) DCR CrI. 280 (SC)