

CRIMINAL PETITION No.3334 of 2018

ORDER:

Heard the learned counsel for the petitioner, who is no other than A1 in Crime No.321 of 2017 of Ibrahimpatnam Police Station and the learned Public Prosecutor representing the State of Andhra Pradesh.

2. The crime is registered on 23.06.2017 for the offences punishable under Section 8(c) r/w 20(b)(ii)(c) of the Narcotic Drugs and Psychotropic Substance Act, 1985, amended Act 9 of 2001 (for short 'the Act'), based on the so called seizure from the disclosure of conscious possession of the contraband of 583 Kgs of ganja and besides the petitioner, there are other accused.

3. A perusal of the material on record no way discloses non-application of the limitations in 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, the Criminal Petition is 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 Narcotics¹ 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: 05.06.2018
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¹ 2013(2) DCR CrI. 280 (SC)