

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

CRIMINAL PETITION Nos.4310 and 4316 of 2018

COMMON ORDER:

Heard the learned counsel for the petitioners in the respective petitions, who are no other than A1 to A4 in Crime No.56 of 2017 on the file of Narsipatnam Rural Police Station, Visakhapatnam and also heard the learned Public Prosecutor representing the State of Andhra Pradesh.

2. The case was registered based on the so called seizure from the disclosure of conscious possession of the contraband of 100 Kgs, registered under Section 8(c) r/w Sections 20(b)(1)(ii)(c) and 25 of the Narcotic Drugs and Psychotropic Substances 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 are not likely to be convicted and they are not likely to commit any offence while on bail, which are the conditions cumulative and needless to say, not alternative.

4. Hence, these Criminal Petitions are dismissed without prejudice to the defense. 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.

Consequently, miscellaneous petitions, if any shall stand closed.

Dr. B.SIVA SANKARA RAO, J

05.06.2018
MVA



¹ 2013(2) DCR CrI. 280 (SC)