

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

CRIMINAL PETITION No.6449 of 2018

ORDER:

Heard the learned counsel for petitioner, who is no other than A1 in Crime No.106 of 2017 on the file of Kotaurtla Police Station, Visakhapatnam District, 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 120 Kgs, registered under Section 8(c) r/w Sections 20(b)(ii)(c) & 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 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, this Criminal Petition is 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 and complete the same within a period of five (5) months from the date of receipt of a copy of this order.

Consequently, miscellaneous petitions, if any shall stand closed.

Dr. B.SIVA SANKARA RAO, J

28.06.2018
MVA



¹ 2013(2) DCR CrI. 280 (SC)