

CRIMINAL PETITION No.7074 of 2018

ORDER:

Heard the learned counsel for the petitioners, who are A1 to A5 in Crime No.113 of 2017 of Narsipatnam Prohibition and Excise Police Station and the learned Public Prosecutor representing the State of Andhra Pradesh.

2. The crime is registered for the offences punishable under Sections 8(c) r/w 20(b)(ii)(c) of the Narcotic Drugs and Psychotropic Substance Act, 1985 (for short 'the Act'), based on the so called seizure from the disclosure of conscious possession of the contraband of dry mica.

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, 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 and dispose of the same within a period of five months from the date of receipt of copy of this order.

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

JUSTICE Dr. B. SIVA SANKARA RAO

Date:27.07.2018
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¹ 2013(2) DCR CrI. 280 (SC)