

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.8335 of 2018

ORDER :

This criminal petition filed under Sections 437 and 439 Cr.P.C. by the petitioner/accused in C.O.R.No.63 of 2018 of the Prohibition and Excise Chevella Station, registered for the offence under Section 8(c) r/w Section 20(c) of the Narcotic Drugs and Psychotropic Substance Act, 1985 (for short, 'the NDPS Act') and Section 37(i) of A.P. Excise Act, 1968 (Telangana Adoption) Order 2015.

2. Heard learned counsel for the petitioner and learned Public Prosecutor representing the State and perused the entire material on record.

3. The learned Metropolitan Sessions Judge, Cyberabad, allotted the Sessions Case No.62 of 2018, within whose jurisdiction the occurrence taken place.

4. The above case was registered based on the so called seizure from the disclosure of conscious possession of Raw Alprazolam of 150 grams. Earlier the petitioner went unsuccessful in CrI.M.P.No.2573 of 2018 before the learned Metropolitan Sessions Judge, Cyberabad-cum-I Additional District Judge, Ranga Reddy, vide dismissal order, dated 04.07.2018.

5. A perusal of the material on record no way discloses non-application of Section 37 of the NDPS 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.

6. Accordingly, the criminal petition is dismissed without prejudice to defence. Need less to say, the learned Sessions Judge shall make every endeavour for early disposal, preferably within three (3) months from the date of receipt of a copy of this order, as per the directions of the Apex Court in **Thana Singh v. Central Bureau of Narcotics**¹.

Miscellaneous petitions pending, if any, shall stand closed.

14th August 2018.

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Dr. B. SIVA SANKARA RAO, J

¹ 2013 (2) DCR CrI.280 (SC)