

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH
WEDNESDAY, THE THIRD DAY OF JANUARY, TWO THOUSAND AND
EIGHTEEN
: PRESENT :
THE HONOURABLE DR JUSTICE SHAMEEM AKTHER
CRLP .No. 12601 of 2017**

Between:-

- 1.Killo Anjaneyudu, S/o. Chandrarao
- 2.Kalebu Laxmana Rao, S/o. Sanyasi Rao.

..... Petitioners/Accused Nos.2 &3.

AND

State of Andhra Pradesh, Rep. by its Public Prosecutor,
High Court at Hyderabad, For the State of Telangana and the
State of A.P..

.....Respondent/Complainant.

Petition filed under Sections 437 & 439 of Cr.P.C. praying that in the circumstances stated in the Grounds of Criminal Petition, the High Court may be pleased to enlarge the petitioners/accused Nos. 2 & 3 on bail in Crime No. 16 of 2017 of Prohibition & Excise Police Station, Prathipadu, East Godavari District.

The petition coming on for hearing, upon perusing the memorandum of grounds filed in support thereof and upon hearing the arguments of Sri Rajasekhar Tulasi, Advocate for the Petitioners and of Public Prosecutor(AP) on behalf of Respondent-State, the Court made the **following ORDER :-**

“This Criminal Petition, under Section 439 of the Code of Criminal Procedure, 1973, is filed by the petitioners/accused Nos.2 and 3 for grant of bail in Crime No.16 of 2017 on the file of the Prohibition and Excise Station, Prathipadu, East Godavari District, registered for the offence punishable under Section 8(c) read with 20(b)(ii)(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Heard the learned counsel for the petitioners/accused Nos.2 and 3, learned Additional Public Prosecutor representing the respondent-State and perused the record.

3. The petitioners/accused Nos.2 and 3 were remanded to judicial custody on 29.01.2017. Charge-sheet is already filed. The accused No.1 in this crime was granted bail by this Court, vide order, dated 25.07.2017, passed in Cri.P.No.5949 of 2017. It is alleged that on 18.01.2017, Ganja weighing 432 kilograms was seized. Thereafter, the petitioners/accused Nos.2 and 3 were arrested and remanded to judicial custody. The allegation that the contraband seized belong to the petitioners/accused Nos.2 and 3 is required to be proved after due trial. While dealing with the bail application of the accused No.1 in this crime, this Court opined that *prima facie*, the prosecution case creates a doubt about the involvement of the accused No.1 in this crime. Similar is the situation with regard to the petitioners/accused Nos.2 and 3. Under these circumstances, this Court is inclined to grant bail to the petitioners/accused Nos.2 and 3 under Section 439 of Cr.P.C.

4. Accordingly, the by the petitioners/accused Nos.2 and 3 are ordered to be released on bail on their executing personal bonds for a sum of Rs.50,000/- (Rupees fifty thousand only) each with two local sureties of East Godavari District for the like sum each to the satisfaction of the trial Court. On such release, the petitioners/accused Nos.2 and 3 shall appear before the Station House Officer, Prohibition and Excise Station, Prathipadu, East Godavari District, on every Sunday between 12:00 PM and 02:00 PM, until further orders. The petitioners/accused Nos.2 and 3 are further directed to cooperate for smooth completion of trial.

Contd.2...

5. The Criminal Petition is, accordingly, allowed.

Miscellaneous petitions, if any, pending in this Criminal Petition, shall stand closed.”

ASSISTANT REGISTRAR

//TRUE COPY//

for ASSISTANT REGISTRAR

To

- 1.The I Additional District and Sessions Judge, East Godavari District,
At Rajamahendravaram.
- 2.The Judicial First Class Magistrate, Prathipadu, East Godavari District.
- 3.Station House Officer, Prohibition & Excise Police Station, Prathipadu,
; East Godavari District.
- 4.The Superintendent, Central Prison, Rajahmundry, East Godavari District.
- 5.Two CCs to the Public Prosecutor(AP), High Court at Hyd.(OUT)
- 6.One CC to Sri Rajasekhar Tulasi, Advocate(OPUC)
- 7.One spare copy.

TKK



HIGH COURT

DR.SA.J

DT.03-01-2018.

BAIL ORDER



CRL.P.No. 12601 of 2017

**RELEASE THE PETITIONERS
ON BAIL**

**DRAFTED BY TKK
DT.04-01-2018.**

HIGH COURT

DR.SA.J

DT.03-01-2018.



BAIL ORDER

CRL.P.No. 12601 of 2017

**RELEASE THE PETITIONERS
ON BAIL.**