

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH**

TUESDAY, THE SECOND DAY OF JANUARY,
TWO THOUSAND AND EIGHTEEN
PRESENT
THE HON'BLE DR JUSTICE **SHAMEEM AKTHER**

CRLP .NO: 11853 of 2017

Between:

Sri A.Surender Goud, S/o. Ramakrishnaiah

Petitioner/Accused No.3

AND

State of Telangana, rep. by the Public Prosecutor,
High Court for the State of Andhra Pradesh at Hyderabad,
through the Station House officer, Police Station, Wanaparthi Town.

Respondent

Petition under Section 438 of Cr.P.C. praying that in the circumstances stated in the grounds filed herein, the High Court may be pleased to direct the Police, Police Station Wanaparthi Town to enlarge the petitioner on bail in the event of his arrest in connection with Crime/FIR.No. 238 of 2017 on the file of Police Station Wanaparthi Town, Mahabubnagar.

The petition coming on for hearing, upon perusing the memorandum grounds filed herein, and order of High Court dated 18-12-2017 made herein and upon hearing the arguments of Sri Nagesh Bheemapaka, Advocate for the Petitioner and the Addl. Public Prosecutor (TG) for the Respondent, the Court made the following

ORDER:

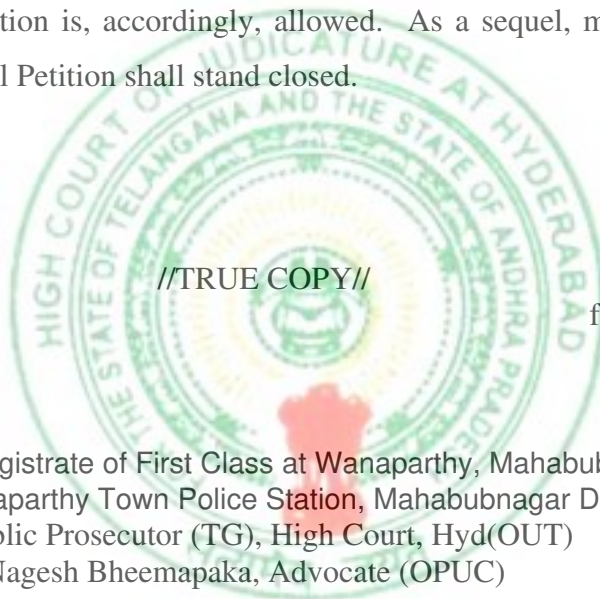
This Criminal Petition is filed by the petitioner/A.3 under Section 438 Cr.P.C. for grant of anticipatory bail to him in Crime No.238 of 2017 of Wanaparthi Town Police Station, Wanaparthi District, registered for the offence punishable under Section 8(c) read with Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Heard the learned counsel for the petitioner/A.3, learned Additional Public Prosecutor representing the respondent-State, and perused the record.
3. During the course of submissions made by both the sides, it has come to notice of this Court that the accused Nos.1 and 2 were granted regular bail by the learned I Additional Sessions Judge, Mahabubnagar, in Criminal M.P.No.663 of 2017, on 06.11.2017. When this matter was heard by this Court on earlier occasion, the learned Additional Public Prosecutor was directed to obtain the copy of the opinion relating to the subject substance from the Forensic Science Laboratory or any other authority concerned. Till date, such opinion has not been placed before this Court.
4. It is alleged that the subject substance is Diazepam and it is yet to be established by placing convincing material before this Court. As the other accused Nos.1 and 2 were

already granted bail, this petitioner can also be enlarged on bail under Section 438 Cr.P.C., on some conditions.

5. Accordingly, the petitioner/A.3 is directed to surrender before the Station House Officer, Wanaparthi Town Police Station, Wanaparthi District, within a period of 15 days from the date of this order. On such surrender, the Station House Officer, Wanaparthi Town Police Station, Wanaparthi District, shall release the petitioner/A.3 on bail on his executing a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties in a like sum each to his satisfaction. On release, the petitioner/A.3 shall report before the said Station House Officer, Wanaparthi Town Police Station, Wanaparthi District, on every Saturday and Sunday between 8-00 a.m. and 10-00 a.m. till filing of the charge sheet. The petitioner/A.3 shall also abide by the conditions stipulated in Section 438(2) Cr.P.C. and cooperate with the investigating officer in the investigation of the case.

6. This Criminal Petition is, accordingly, allowed. As a sequel, miscellaneous petitions, if any, pending in this Criminal Petition shall stand closed.



ASSISTANT REGISTRAR

for ASSISTANT REGISTRAR

To

1. The Judicial Magistrate of First Class at Wanaparthi, Mahabubnagar District.
2. The SHO, Wanaparthi Town Police Station, Mahabubnagar District.
3. Two CCs to Public Prosecutor (TG), High Court, Hyd(OUT)
4. One CC to Sri Nagesh Bheemapaka, Advocate (OPUC)
5. One spare copy.

Skm

HIGH COURT

Dr.SAJ

Drafted by: skm
Drafted on: 03-01-2018

DATED: 02-01-2018

ORDER

CRL.P. No. 11853 OF 2017

DIRECTION

