

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH
TUESDAY, THE TWENTY SIXTH DAY OF DECEMBER
TWO THOUSAND AND SEVENTEEN**

:PRESENT:
THE HON'BLE SMT. JUSTICE T. RAJANI

CRL. P. NO:12621 of 2017

Between:

- 1 Alagar Swamy, S/o. Govindarajan, Age 35 years, R/o. Posoponagar Maral Kovel, Amman Kovi, Tanjavuru, Tamilnadu State.
- 2 Vijaya Chandran, W/o. Chandran, Age 38 years, R/o. Rajappa Nagar, Medical College Road, Tanjavuru, Tamilnadu State.

..... Petitioners/Accused No.1 & 2

AND

The State of A.P., through Station House Officer, Government Railway P.S., Vijayawada, Krishna District, Rep. by Public Prosecutor, High Court at Hyderabad

.....Respondent

Petition under Sections 437 & 439 of Cr.P.C., praying that in the circumstances stated in the petition and the grounds filed herein, the High Court may be pleased to enlarge the petitioners / accused Nos. 1 & 2 on bail in SC.No. 175/2017 pending trial before the Metropolitan Sessions Judge cum Spl. Judge for Trial of NDPS., Act Cases at Vijayawada in connection with Crime No. 335/2017 on the file of the Government Railway P.S., Vijayawada Krishna District.

Counsel for the Petitioners : SRI G.VENKATA REDDY

Counsel for the Respondent : PUBLIC PROSECUTOR (AP)

The Court made the following ORDER:

“This petition is filed under Sections 437 and 439 of the Criminal Procedure Code seeking to enlarge the petitioners, who are A1 and A2, on bail in S.C.No.175 of 2017 before the Metropolitan Sessions Judge-cum- Special Judge for Trial of NDPS Act cases, Vijayawada in connection with Cr.No.335 of 2017 on the file of the Government Railway Police Station, Vijayawada, Krishna District. The offences alleged are under Section 8(c) read with 20(b)(ii) (B) of NDPS Act.

2. Heard the counsel for the petitioners and the learned Public Prosecutor appearing for the respondent.

3. As per the case of the prosecution 16 KGs of Ganja was seized i.e. 8 Kgs from A1 and 8 Kgs from A2. The quantity of Ganja seized is not beyond the commercial quantity.

Hence, considering the above, criminal petition is allowed and the petitioners are directed to be enlarged on bail on condition of their executing personal bond for Rs.10,000/- with two sureties for a like sum each to the satisfaction of the II Metropolitan Magistrate for Railways, Vijayawada, Krishna District and to appear before the trial Court on the dates given by the concerned Court. By considering the contention of the learned Public Prosecutor that the petitioners hail from Tamil Nadu, one surety of the petitioners shall be that of the blood relative or a Government employee having immovable property in their native village.”

ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

1. The Metropolitan Sessions Judge cum Special Judge for Trial of NDPS Act cases, Vijayawada, Krishna District.
2. The II Metropolitan Magistrate for Railways, Vijayawada, Krishna District.
3. The Station House Officer, Government Railway Police Station, Vijayawada, Krishna District.
4. The Superintendent, Central Jail, Rajamahendravaram, East Godavari District.
5. Two Ccs to Public Prosecutor, (AP), High Court of Judicature, at Hyderabad (OUT)
6. one CC to Sri G.Venkata Reddy, Advocate (OPUC)
7. one Spare Copy

HIGH COURT

**AB
DRAFTED ON 27-12-2017**

TR,J

DATE: 26-12-2017



ORDER

CRL.P. NO. 12621 OF 2017

BAIL