

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

THURSDAY, THE FOURTH DAY OF JANUARY,
TWO THOUSAND AND EIGHTEEN

:PRESENT:
THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

CRLP .No. 12695 of 2017

Between:

Thota Venu, S/o. Tirupathi Rao,
aged about 25 years, D.No. 2-4-19/3,
Peddapalli Village and District.

..... Petitioner/
Accused No.2

AND

The State of Andhra Pradesh, Rep. by its Public Prosecutor, High Court of
Judicature at Hyderabad for the State of Telangana & the State of Andhra Pradesh.

.....Respondent

Petition under Sections 437 & 439 of Cr.P.C. praying that in the circumstances stated in the petition filed herein, the High Court may be pleased to enlarge the petitioner on bail in Crime No.824 of 2015-16 on the file of the Prohibition & Excise P.S., Prathipadu P.S.

The petition coming on for hearing, upon perusing the Petition filed in support thereof and upon hearing the arguments of Sri Harinath Reddy Soma, Advocate for the petitioner-A2 and of the learned Additional Public Prosecutor (AP) for the Respondent-State, the Court made the following

ORDER:

“This petition is filed under Section 439 Cr.P.C. to grant bail to the petitioner-A2 for the offence alleged under Section 20 (b) (ii) (c) r/w 8 (c) of N.D.P.S. Act, 1985.

2. Heard learned counsel for the petitioner-A2, learned Additional Public Prosecutor representing the State and perused the record.

3. The case of the prosecution is that on 14.02.2016, when the Prohibition & Excise Inspector along with his staff were checking the vehicles at NH 26, they found one Tata Indigo Manza Car bearing No. AP 20 AG 1215. In that car, they found A1 and on seeing the police, A2 said to have escaped from the car. On search and pursuant to confession made by A1, 60 Kgs of ganja was seized. Pursuant to confession made by A1, the petitioner-A2 is made an accused in this case. As seen from the record, nothing was seized from the possession of the petitioner-A2. The petitioner-A2 was remanded to judicial custody on 01.01.2017.

4. Having regard to the nature of allegations and the material collected so far, the petitioner-A2 is entitled for bail under Section 439 Cr.P.C. on some conditions.

5. In the result, the petitioner-A2 is ordered to be released on bail on his executing a personal bond for Rs.10,000/- (Rupees ten thousand only) with two sureties each in a like sum to the satisfaction of Judl. Magistrate of I Class, Prathipadu. Further, one of the sureties shall be the person having immovable property in the native place of the petitioner-A2. On release, the petitioner-A2 shall attend before the S.H.O. concerned on every Sunday between 8.00 A.M. and 10.00 A.M. for a period of six months from the date of this order.

6. Accordingly, the Criminal Petition is allowed.”

ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

- 1 The I Additional District and Sessions Judge, East Godavari at Rajamahendravaram.
- 2 The Judicial Magistrate of First Class, Prathipadu, East Godavari District.
- 3 The Superintendent, Central Prison, Rajahmundry, East Godavari District.
- 4 The Station House Officer, Prohibition & Excise PS, Prathipadu P.S., East Godavari District.
- 5 One CC to Sri Harinath Reddy Soma, Advocate (OPUC)
- 6 Two CCs to Public Prosecutor (AP), High Court of Judicature at Hyderabad. (OUT)
- 7 One spare copy.



HIGH COURT

Dr.SA,J

DATE: 04-01-2018

ORDER

CRL.P. NO. 12695 OF 2017

DIRECTION



HIGH COURT

Nnr

Date of Drafting: 05-01-2018

Dr.SA,J

DATE: 04-01-2018

ORDER

CRL.P. NO. 12695 OF 2017

DIRECTION

