

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

MONDAY, THE TWENTY EIGHTH DAY OF JANUARY
TWO THOUSAND AND NINETEEN

:PRESENT:

THE HONOURABLE DR. JUSTICE SHAMEEM AKTHER
CRIMINAL PETITION NO: 147 OF 2019



Between:

1. Kali Malkesh, S/o. Malkaiah,
2. N.Suresh, S/o. Raja Babu,

Petitioner/Accused Nos.1 &2

AND

1. The State of Telangana, through S.H.O., Quthbullapur Police Station,
R.R.District, Rep.by Public Prosecutor, High Court, Hyderabad.

Respondent/Complainant

Petition under Section 437 & 439 of Cr.P.C, praying that in the circumstances stated in the affidavit filed in support of the Criminal Petition, the High Court may be pleased to enlarge the petitioners herein on bail in connection with COR No.267 of 2018 of Quthbullapur Excise Police Station, R.R. District

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof upon hearing the arguments of V SUDHAKAR BABU Advocate for the Petitioners and the PUBLIC PROSECUTOR (TG) for the Respondent, the Court made the following.

ORDER:

This Criminal Petition, under Section 439 of the Code of Criminal Procedure, 1973, is filed by the petitioners/A.1 and A.2, for grant of bail in C.O.R.No.267 of 2018 of Quthbullapur Prohibition and Excise Station, Medchal-Malkajgiri 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/A.1 and A.2, the learned Additional Public Prosecutor representing the respondents-State and perused the record.
3. In the course of submissions, it is brought to the notice of this Court that altogether, six kilograms of dry Ganja was seized from the possession of the petitioners/A.1. and A.2 under a cover of panchanama, dated 04.12.2018. Since the quantity of ganja seized from the possession of A.1 and A.2 is not of commercial quantity and as the material witnesses were already examined and further, in view of the accusations levelled against the petitioners/A.1 and A.2, this Court is inclined to grant bail to the petitioners/A.1 and A.2 under Section 439 of Cr.P.C.
4. Accordingly, the petitioners/A.1 and A.2 are ordered to be released on bail on each of them executing a personal bond for a sum of Rs. 10,000/- (Rupees ten thousand only) with two sureties in a like sum each to the satisfaction of the learned VI Metropolitan Magistrate, Medchal. On Such release, the petitioners/A.1 and A.2 shall report before the Station House Officer, Quthbullapur Prohibition and Excise Station, Medchal-Malkajgiri District, on every Sunday between 09.00 AM and 10.00 AM, till filing of the Chargesheet.

5. The Criminal Petition is, accordingly, allowed.

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

Sd/- T.NAGESH BABU
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. VI Metropolitan Magistrate, Medchal,
2. The Metropolitan Sessions Judge, Cyberabad, Ranga Reddy District At L.B.Nagar
3. The Station House Officer, Quthbullapur Police Station, R.R. District
4. The Superintendent Central Prison, Cherlapalli,
5. One CC to SRI. V SUDHAKAR BABU Advocate [OPUC]
6. Two CCs to PUBLIC PROSECUTOR (TG), High Court of Telangana at Hyderabad [OUT]
7. One Spare Copy

GR

HIGH COURT

DR SAJ

DATED:28/01/2019

ORDER

CRLP.No.147 of 2019

BAIL

