

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

FRIDAY, THE TWENTY NINTH DAY OF MARCH

TWO THOUSAND AND NINETEEN

:PRESENT:
THE HONOURABLE DR. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION NO: 1631 OF 2019



Between:

Police Ram Reddy, S/o. Dharma Reddy,

Petitioner/Accused

AND

The State of Telangana, through Excise P.S. S.H.O. Mominpet, rep. by Public
Prosecutor, High Court at Hyderabad.

Respondent/Complainant

Petition under Section 438 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 direct the S.H.O. Proh and Excise Mominpet to enlarge the Petitioner/Accused on bail in the event of his arrest in Crime No. 166 of 2018. Dt. 30-12-2018 on the file of Proh and Excise Police Station Mominpet district, in the interest of justice.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the order of the High Court order made herein and upon hearing the arguments of CH. VIDYA SAGAR RAO Advocate for the Petitioner, PUBLIC PROSECUTOR (TG) Advocate for the Respondents, the Court made the following.

ORDER:-

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioner/accused, for grant of anticipatory bail in COR No.166 of 2018 of Prohibition and Excise Station, Mominpet, Vikarabad District, registered for the offences punishable under Section 8(b) read with 22(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

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

3. The allegation against the petitioner/accused is that he cultivated seven ganja plants in his agricultural land in Survey No.88/A situated at Ravoolapally Village, Mominpet Mandal, Vikarabad District. The Excise officials conducted a raid and detected the same. On seeing the police, the petitioner/accused absconded from the scene. There are no details of the extent of land owned by this petitioner/accused. It is also brought to the notice of this Court that this petitioner/accused is 68 years old and suffering from health problems. The number of ganja plants alleged to have been cultivated is only seven. The person who cultivated the ganja plants is in question. Considering the health condition of the petitioner/accused, his age and the number of ganja plants alleged to have been cultivated by him, this Court is inclined to grant bail to the petitioner/accused under Section 438 of Cr.P.C., on some conditions.

4. Accordingly, the petitioner/accused is directed to surrender before the Station House Officer, Prohibition and Excise Station, Mominpet, Vikarabad District, within a period of 15 days from the date of this order. On such surrender, the said Station House Officer shall release the petitioner/accused on bail, on his executing a personal bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) with two sureties in a like sum each to his satisfaction. On such release, the petitioner/accused shall report before the said Station House Officer on every Wednesday and Sunday between 09:00 AM and 10:00 AM, till filing of the charge-sheet. The petitioner/accused shall also abide by the conditions stipulated in Section 438(2) of Cr.P.C., and shall cooperate with the investigating officer in the investigation of the case.

5. The Criminal Petition is, accordingly, allowed.

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

Sd/- M. MANJULA

ASSISTANT REGISTRAR

For ASSISTANT REGISTRAR

//TRUE COPY//

To,

1. The Metropolitan Sessions Judge, Cyberabad, Rangareddy at L.B. Nagar
2. The Prohibition and Excise Station, Mominpet, Vikarabad District.
3. One CC to SRI. CH. VIDYASAGAR RAO Advocate [OPUC]
4. One CC to PUBLIC PROSECUTOR (TG), High Court of Telangana at Hyderabad (OUT).
5. One spare copy

Ags



HIGH COURT

DR SA J

DATED:29/03/2019

ORDER

CRLP.No.1631 of 2019



BAIL