

HON'BLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.5441 of 2019

ORDER:

This Criminal Petition under Section 438 of Cr.P.C. seeking anticipatory bail, is filed by the petitioner, who is Accused No.4, in Crime No.35 of 2019 on the file of the Station House Officer, Karmatipura, Hyderabad, registered for the offences punishable under Sections 8(c) read with 21(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short "the Act").

The case of the prosecution is that on 03.05.2019 at 6.00 a.m. on reliable information about illegal possession and selling of heroin, which is a Narcotic Drug and Psychotropic Substance, near Zeenathunisa Mosque, Kamatipura, Hyderabad, the police raided the said place and seized six (6) Polythene covers each containing heroin of 1 gram each and two cell phones from the possession of the A.2 and A.3 under the cover of panchanama but the present petitioner absconded from the scene and his name was revealed in the confession statement of the A.2 and A.3.

Heard learned counsel for the petitioner/Accused No.4 and the learned Additional Public Prosecutor appearing for the respondent State. Perused the material on record.

Learned counsel for the petitioner/Accused contends that the police falsely implicated the petitioner only basing on the confessional statements of the co-accused. In the remand report

it is stated that the petitioner is addicted to Narcotic Drugs and also selling drugs but there is no material seized from the petitioner and said allegation is without any basis. There is no role of the petitioner in this case. The petitioner is ready to abide by any of the conditions imposed by this Court and would cooperate with the investigation, if he is released on anticipatory bail in the event of his arrest in connection with the aforesaid crime.

On the other hand, the learned Additional Public Prosecutor vehemently opposed the relief sought in the above petition.

A perusal of the contents of the complaint and the record discloses that the petitioner is addicted to Narcotic Drugs and also selling the same to his friends and needy customers by procuring the same from A.2 and A.3.

Thus looking into the serious allegations levelled against the petitioner/Accused No.4 and facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioner/Accused No.4.

Accordingly, the Criminal Petition is dismissed.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE G. SRI DEVI

11.09.2019.
Vvr



HON'BLE JUSTICE G. SRI DEVI



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Dt.11.09.2019

vvr

24.06.2019
Msr

