

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.5562 of 2019

ORDER :

This Criminal Petition, under Section 439 of the Code of Criminal Procedure, 1973, is filed by the petitioner/A.1, for grant of bail in Crime No.DRI/HZU/48B/ENQ-18 (INT-12)/2019 of Directorate of Revenue Intelligence, Zonal Unit, Hyderabad, registered for the offence punishable under Sections 8(c) read with 20, 28 and 29 of NDPS Act.

2. Heard learned counsel for the petitioner/A.1, learned Standing Counsel for the respondent and perused the record.

3. The case of prosecution, in brief, is that basing on the credible information about illegal transportation of cannabis/ganja by Tata Truck bearing No.MH 13B 4039 on 17.04.2019, the DRI officials along with their staff conducted route watch on Vijayawada – Hyderabad National Highway at Ramoji Film City and intercepted the said vehicle and found A.2 and A.3 along with the driver and ascertained the cargo and on search found ganja concealed beneath the fly ash bricks and they pleaded ignorance of the same and further stated that another Maruthi Swift Dzire is escorting the truck wherein the owner of the material is there and seized 1121.5 kgs of homogeneous mixture of cannabis worth about Rs.1,68,22,500/- @ Rs.15,000/- per kg.

4. Learned counsel for the petitioner/A.1 submits that the petitioner is innocent and he has nothing to do with the alleged offence and all the allegations levelled against the petitioner are false and concocted. He further submits that there was no material to link up the petitioner to the alleged truck carrying ganja. He also submits that despite lack of evidence, either direct or circumstantial, the petitioner was made a

scapegoat and has been languishing in jail since 17.04.2019. The petitioner has no previous criminal antecedents. The petitioner is ready to abide by any conditions imposed by this Court and hence, he prayed to grant bail to the petitioner.

5. Learned Standing Counsel vehemently opposed to grant bail to the petitioner/A.1 and submitted that the petitioner knowing fully well about the transportation of ganja in the alleged truck, followed the same at the relevant point of time. The ganja which was recovered from the truck was a higher quantity weighing about 1121.5 kgs. He further submitted that charge sheet has already been filed in this case and prayed to dismiss the petition.

6. As seen from the contents of the remand report, the petitioner was found to be indulged in transportation of a huge quantity of ganja and was apprehended by the police.

7. Looking into the nature of allegations levelled against the petitioner/A.1 and the involvement of the petitioner in the aforesaid crime i.e., in transportation of huge quantity of ganja, this Court is not inclined to grant bail to the petitioner at this stage.

8. Accordingly, the Criminal Petition is dismissed.

JUSTICE G. SRI DEVI

17.10.2019
ssp