

HON'BLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.7031 of 2019

ORDER :

The petitioners, who are A.1 to A.3, have filed the present application under Sections 437 and 439 of Cr.P.C., seeking enlargement on bail in Crime No.DRI/HZU/48B/ENQ-18 (INT-12)/2019 of Directorate of Revenue Intelligence, Zonal Unit, Hyderabad, on the file of Metropolitan Sessions Judge, L.B. Nagar, Ranga Reddy District.

The case of the prosecution is that on credible information about illegal transportation of cannabis by Tata Truck bearing No.MH 13R 4039, on 17.04.2019 the DRI Officials conducted route watch on Vijayawada-Hyderabad National Highway at Ramoji Film City and intercepted the said vehicle along with A.2 and A.3 while transporting 1121.5 Kgs of Ganja/Cannabis.

Heard learned counsel appearing for the petitioners/A.1 to A.3 and Sri A. Rajashekar Reddy, learned Special Public Prosecutor appearing for the respondent- DRI. Perused the material on record.

Learned counsel for petitioners contends that the petitioners are innocent of the offences alleged and they have been falsely implicated in the above crime and there is no iota of truth in the allegations levelled against them and all of them are invented only for the purpose of foisting a false case

against the petitioners. It is also contended that the respondent did not produce any material evidence to show that the petitioners are involved in the above crime and the petitioners were produced before the Court concerned on 18.04.2019 and since then they are in judicial custody. It is also contended that material part of investigation has already been completed, except filing of charge sheet and that the petitioners are ready to abide by any conditions imposed by this Court for their release on bail and would cooperate with the investigating agency in concluding investigation in the above crime.

On the other hand, the learned Special Public Prosecutor filed counter vehemently opposing the bail application, wherein it is stated that the complainant has recovered a copy of Tax Invoice No.RANC/0149-19-20, dt.14.04.2019, regarding sale of 500 numbers of Fly Ash Bricks issued to A.2 and these Fly Ash Bricks were used to conceal the seized 1121.5 Kgs of Ganja and the present petitioners are part of criminal conspiracy and they have acted in furtherance of such criminal conspiracy by illicitly purchasing, possessing, transporting and exporting Cannabis and they have violated the prohibition to purchase, possess, transport, export inter-State without any valid licence laid down by the provisions of Section 8 of the NDPS Act. It is stated that this Court also dismissed the bail application filed by A.1 vide order dt.17.10.2019 in Crl.P.No.5562 of 2019 and this is the second bail application of the petitioner No.1/A.1,

who has suppressed the above said material fact and filed the present second bail application. It is also contended that enlarging the petitioners on bail is not in consonance with the provisions of NDPS Act and their release would lead to serious repercussions on the well being of the society, particularly the youth.

As seen from the contents of FIR, there are specific allegations levelled against the petitioners that the petitioners are involved in possessing, transporting and exporting huge quantity of Ganja weighing about 1121.5 Kgs. Moreover, the first bail application of A.1 has already been dismissed by this Court vide order dt.17.10.2019 in Crl.P.No.5562 of 2019 and this is the second bail application of A.1. Thus, considering the gravity of offence, the nature of allegations levelled against the petitioners/A.1 to A.3 and also quantity of Ganja recovered from them, I am not inclined to release the petitioners/A.1 to A.3 on bail.

Accordingly, this Criminal Petition is dismissed.

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

JUSTICE G. SRI DEVI

19.11.2019.
Msr

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