

THE HON'BLE JUSTICE G.SRI DEVI

CRIMINAL PETITION Nos.7978, 7981 and 8425 of 2019

COMMON ORDER:

All these Criminal Petitions are filed under Sections 437 and 439 Cr.P.C. by the petitioners/accused seeking to enlarge them on bail in Sessions Case No.97 of 2017 on the file of the Metropolitan Sessions Judge, Cyberabad-cum-I Additional District and Sessions Judge, Ranga Reddy District at L.B.Nagar. Hence, they are being heard together and disposed of by this common order.

2. The brief facts of the case are that on 05.3.2017, L.W-1 on receipt of reliable information that accused No.1 is in the process of synthesizing and selling 20 kgs of Alprazolam @ Rs.24,000/- per kg, he along with the panchas went to the spot and found accused No.1 handing over a gunny bag to accused Nos.2 and 3; that on enquiry, accused No.1 confessed that he was engaged in manufacture of Alprazolam and had already stored the same, out of which, he has handed over 20 kgs to accused Nos.2 and 3; that accused Nos.2 and 3 also confirmed the statement of accused No.1; that L.W-1 weighed the powder and the same was found to be weighing 22.106 kgs; that as the drug detection kit does not contain the test for Alprazolam, no preliminary test was conducted to verify whether the contraband seized was Alprazolam or not; that the Investigating Officer took 5 gms each as sample in two polythene bags for the purpose of expert opinion; that all the three accused were informed about their right to be searched in the presence of a Magistrate or a

Gazetted Officer, for which, they waived their right; that a detailed panchanama was conducted on the spot, the properties are seized and samples were taken under the cover of panchanama; that the statement of accused No.2 was recorded by complying with the provisions of Section 67 of the Narcotic Drugs and Psychotropic Substances Act, wherein he admitted the commission of the offence; and that on the same, the Police originally filed the charge sheet against accused Nos.1 to 4 and subsequently filed supplementary complaint against accused No.5.

3. Heard learned counsel for the petitioners in all the Criminal Petitions, learned Additional Public Prosecutor appearing for the respondent-State and perused the record.

4. The earlier bail applications filed by the petitioners have already been rejected by this Court *vide* order dated 24.7.2018 in CrI.P.Nos.5530 and 5929 of 2018, dated 14.11.2018 in CrI.P.No.11190 of 2018, order dated 22.02.2019 in CrI.P.Nos.313 and 478 of 2019 and order dated 06.06.2019 in CrI.P.No.2328 of 2019 and this Court in the said orders has categorically directed the trial Court to conclude the trial within the stipulated time.

5. However, Sri V.Gopalakrishna Gokhalay, learned counsel for the respondent, submitted that in this case as many as three witnesses were yet to be examined and it may take quite some time.

6. In the light of the aforesaid submissions made by the learned counsel, since the earlier bail applications filed by the petitioners were dismissed by this Court on merits assigning reasons therefor,

at this stage, this Court is not inclined to enlarge the petitioners on bail. The non-conclusion of trial in the aforesaid Sessions Case is not a ground to enlarge the petitioners on bail. Accordingly, the prayer of the petitioners for grant of bail is rejected. However, in the light of the directions given by this Court in the earlier orders, the Court below is directed to conclude the trial in Sessions Case No.97 of 2017 by 31.01.2020, failing which, the petitioners are entitled to be enlarged on bail.

7. Accordingly, the Criminal Petitions are dismissed.

8. Miscellaneous petitions, if any pending in these criminal petitions, shall stand dismissed.

31st December, 2019
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JUSTICE G.SRI DEVI

