

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

TUESDAY, THE THIRTY FIRST DAY OF DECEMBER
TWO THOUSAND AND NINETEEN

: PRESENT:
THE HON'BLE JUSTICE G SRI DEVI

CRIMINAL PETITION NO: 8022 OF 2019

Between:

Vijaykumar Vemula, S/o. Subramanyam

Petitioner/Accused No.2

AND

The state of Telangana. Represented by station house officer, Thadvai police station, Mulugu District, through Public prosecutor, High court at Hyderabad.

Respondent/Complainant

Petition under Sections 437 & 439 of Cr.P.C., praying that in the circumstances stated in the support of the Criminal Petition, the High Court may be pleased to grant bail to the petitioner/Accused No.2, arrested in Crime No. 76 of 2019 of PS Thadvai, Mulugu District, on such terms and conditions as this Honourable court may deem fit and proper in the interest of justice

The petition coming on for hearing, upon perusing the Petition filed in support thereof and upon hearing the arguments of Sri K Venumadhav Advocate for the Petitioner and of Additional Public Prosecutor for the Respondent, the Court made the following.

ORDER:

THE HON'BLE JUSTICE G.SRI DEVI
CRIMINAL PETITION No.8022 of 2019

ORDER:

This Criminal Petition, under Sections 437 and 439 Cr.P.C., is filed by the petitioner/accused No.2 seeking to enlarge him on bail in Crime No.76 of 2019 on the file of Thadvai Police Station, Mulugu District, registered for the offence punishable under Section 20 (b)(ii)(c) of Narcotic Drugs and Psychotropic Substances Act.

2. The brief facts of the case are that on 01.9.2019 at 3 pm, at Katapur Cross road of SS Tadval Village, the complainant-Suresh, P.S.I., along with his staff and CRPF force conducted the vehicle checking, and that accused Nos.1 and 2 were proceeding from Katapur Village, SS Tatapur Village side in a car-Toyota Itios black colour bearing No.AP-03 TL 1359, and on checking found 50 covers of ganja weighing about 100 kgs.

3. Heard learned counsel for the petitioner, learned Additional Public Prosecutor appearing for the respondent-State and perused the record.

4. Learned counsel for the petitioner submitted that the petitioner was arrested on 01.9.2019 and since then has been in jail; that the entire investigation is already completed and all the material witnesses have been examined; that though six persons have been shown as accused Nos.1 to 6 in this case, the alleged recovery of ganja was shown from the present petitioner-accused No.2 and accused No.1; that the name of the petitioner has been shown as accused No.2 basing on his confession only; that nothing was recovered from the possession of the petitioner and false recovery

was shown; that the petitioner has not committed any offence. Learned counsel further submitted that the petitioner is ready to abide by any conditions imposed by this Court while granting him bail and he shall cooperate with the investigation into the case.

5. Learned Additional Public Prosecutor submitted that the petitioner along with accused No.1 was found transporting ganja weighing about 100 kgs, which is more than the commercial quantity and hence, the petitioner is not entitled for grant of bail.

6. Looking into the nature of allegations levelled against the petitioner, the facts and circumstances of the case, without delving into the merits of the case, I am inclined to release the petitioner on bail on his furnishing a personal bond to the tune of Rs.25,000/- (Rupees Twenty five thousand only) with two sureties to the like amount each to the satisfaction of the learned Judicial First Class Magistrate, Mulugu. The petitioner shall not tamper with the prosecution witnesses and shall co-operate with the investigating agency and he shall not misuse the liberty granted to him. The petitioner shall not indulge in similar type of offences in future. The petitioner shall appear before the Court concerned on every date of hearing.

7. Subject to the above, the Criminal Petition is allowed.

8. Miscellaneous petitions, if any pending in this criminal petition, shall stand closed.

SD/- N. PURUSHOTHAM REDDY
ASSISTANT REGISTRAR
 SECTION OFFICER

//TRUE COPY//

To,

1. The Sessions Judge for NDPS Cases sum I Additional Sessions Judge, Warangal
2. The Judicial First Class Magistrate, Mulugu
3. The Superintendent, Central Prison, Warangal
4. The Station House Officer, Thadvali Police Station, Mulugu District
5. Two CC to Public Prosecutor, High Court, Hyderabad (OUT)
6. One CC to Sri K. Venu Madhav, Advocate (OPUC)
7. One spare copy

HIGH COURT

GSDJ

DATED:31/12/2019

ORDER

CRLP.No.8022 of 2019

CRLP. ALLOWED

