

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

MONDAY, THE TENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY

:PRESENT:

**THE HONOURABLE JUSTICE G SRI DEVI
CRIMINAL PETITION NO: 25 OF 2020**

Between:

1. Hunthal Mani, Wife of Geenu,
2. Kimudu Susheela, Wife of Ramu,

Petitioners/Accused No.7&8

AND

1. State of Telangana, Represented by its Public Prosecutor,
High Court Buildings, Hyderabad.

Respondent/Complainant

Petition under Section 437 & 439 of Cr.P.C, praying that in the circumstances stated in the grounds filed in support of the Criminal Petition, the High Court may be pleased to enlarge the petition(Accused No.7 and 8 on bail in Crime No.367/2019, on the file Police Station Bhadrachalam Town dated 17/11/2019

COUNSEL FOR THE PETITIONER: M/S N.MURALI MANOHAR REDDY

COUNSEL FOR THE RESPONDENT: ADDITIONAL PUBLIC PROSECUTOR

ORDER:

HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.25 of 20120

ORDER:

The petitioners-accused Nos.7 and 8 the present application under Sections 437 and 439 of the Code of Criminal Procedure, seeking to grant bail to them in Cr.No.367 of 2019 on the file of Bhadrachalam Town Police Station, Bhadradi Kothagudem District, registered for the offence under Section 8(c) read with Section 20(b) of NDPS Act,1985.

2. The case of the prosecution is that on 17.11.2019 at 06.00 hours, on reliable information, the Sub-Inspector of Police along with his staff proceeded to Bhadrachalam Bus stand and apprehended A1 to A13, and on interrogation, they confessed that among them, 8 accused went to Sileru, where an unknown person gave them a sum of Rs.5,000/-each and also gave 18 bags and distributed 3 bags and 2 bags to each person, and that while they were handing over the said bags to the persons arranged, the police caught them. The police seized total 11 ganja packets, containing 2 kgs of ganja in each packet and registered a case against the accused.

3. Learned counsel for the petitioners submitted that the alleged seizure of ganja is only a false allegation and the crime alleged to have been committed by the petitioner is planted by the Police and the petitioners are falsely implicated in this case; that the petitioners are agricultural labourers who hail from Visakhapatnam; and that the petitioners are nothing to do with the alleged seized ganja and they were caught hold of by the Police while they were proceeding to their work in the early hours. Learned counsel further submitted that

the petitioner are middle aged women having children and living with their families at Bhadrachalam by doing labour and they are ready to abide by any condition imposed by this Court. He further submitted that earlier accused Nos.10 to 13 in the aforesaid crime were granted bail by this Court, vide order dated 22.01.2020 passed in CrI.P.No.8673 of 2019,

4. Learned Additional Public Prosecutor vehemently opposed to grant bail to the petitioners.

5. Thus, in view of the nature of allegations levelled against the petitioners/accused Nos.7 and 8 as it is stated that they never indulged in similar type of activities and the alleged ganja recovered from their possession is either less than the commercial quantity or little bit higher than the commercial quantity, I am inclined to grant bail to them on certain terms and conditions.

6. The Criminal Petition is allowed and the petitioners-accused Nos.7 and 8 shall be released on bail on the following terms and conditions:

- (i) That each of the petitioners shall execute a personal bond for a sum of Rs.15,000/- (Rupees fifteen thousand only) with two sureties for a like sum each to the satisfaction of the Judicial First Class Magistrate, Bhadrachalam.
- (ii) that the petitioners shall appear before the Investigating Officer on 4th Saturday of every month between 10.00 AM to 2.00 PM., till completion of investigation or filing of the charge sheet, whichever is earlier.
- (iii) that the petitioners shall appear before the Court concerned personally on each date of hearing till conclusion of trial.

- (iv) that the petitioners shall not indulge in any similar type of activities, in future;
- (v) that the petitioners shall not tamper with the prosecution witnesses;
- (vi) that the petitioners shall co-operate with the investigating agency.
- (vii) that the petitioners shall not misuse the liberty granted to them.

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

SDI- N. PURUSHOTHAM REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Special Sessions Judge for Trial of Cases Under Protection of children from Sexual Offences Act-Cum-I Additional District and Sessions Judge at Khammam.
2. The Judicial First Class Magistrate, Bhadrachalam.
3. The Superintendent Sub-Jail, Bhadrachalam.
4. The Station House Officer, Bhadrachalam town, Khammam
5. One CC to SRI. N MURALI MANOHAR REDDY Advocate [OPUC]
6. Two CCs to PUBLIC PROSECUTOR, High Court at Hyderabad. [OUT]
7. One Spare Copy

GR

HIGH COURT

GSDJ

DATED:10/02/2020

ORDER

CRLP.No.25 of 2020

BAIL



A handwritten signature or mark, consisting of a single, fluid, wavy line.