

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

MONDAY, THE SECOND DAY OF MARCH

TWO THOUSAND AND TWENTY

:PRESENT:

THE HONOURABLE JUSTICE G SRI DEVI

CRL.P. NO: 1289 OF 2020 ✓

Between:

Lavudya Anil, S/o L.Bikoji

..... Petitioner/Accused No.2

AND

The State of Telangana, rep by its Public Prosecutor, High Courts Buildings,
Hyderabad.

.....Respondent/Complainant

Petition under Sections 437 & 439 of Cr.P.C. praying that in the circumstances stated in the petition filed herein, the High Court may be pleased to enlarge the petitioner herein on bail pending enquiry and trial in Cr.No.714/2019 of P.S., Meerpet, Rachakonda Commissionarate, Ranga Reddy District, with or without sureties.

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of Sri J Sreenivasa Rao, Advocate for the Petitioner, and of Additional Public Prosecutor for the respondent, the Court made the following. ✓

ORDER

HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.1289 of 2020

ORDER:

The petitioner-A2 filed the present application under Sections 437 and 439 of the Code of Criminal Procedure, seeking to grant bail to him in Cr.No.714 of 2019 on the file of Meerpet Police Station, Rachakonda District, registered for the offence under Section 20(b)(ii)(c) of NDPS Act, 1985.

2. The case of the prosecution is that on 23.10.2019 at 04.40 hours, on credible information, the Inspector of Police along with his staff, reached near Gayathri Nagar X Roads, Balapur Mandal, Ranga Reddy District, and while they were conducting vehicle check, they stopped a Maruthi Suzuki Swift car bearing No.TS T/R 11 X 6281, and on search, they found 42 packets containing ganja in the dickey and transporting the same illegally for selling the same at higher price. The police seized total 80 Kgs of ganja in 42 packets under a cover of panchanama and thereafter, registered the aforesaid case against A1 to A4.

3. Learned counsel for the petitioner/A2 submits that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in the crime. He further submits that the petitioner is no way concerned with the alleged crime and he never transported the alleged ganja at any point of time. He further submits that the petitioner has been languishing in jail since 23.10.2019 and he is a law abiding citizen without any criminal antecedents previously and he is ready to

furnish sufficient sureties to the satisfaction of the Court and he shall abide by any condition imposed by this Court.

4. Learned Additional Public Prosecutor opposed to grant bail to petitioner/A2 and submits that A1 to A4 were arrested on 23.10.2019, however, he conceded to the fact that the ganja, which was recovered from the possession of each accused, is less than the commercial quantity.

5. In view of the nature of allegations levelled against the petitioner/A2 and in view of the fact that the petitioner/A2 is not involved in any similar type of offences on earlier occasion and he has been languishing in jail since 23.10.2019, without adverting to the merits of the matter, I am inclined to grant bail to the petitioner/A2 on certain terms and conditions.

6. The Criminal Petition is allowed and the petitioner/A2 shall be released on bail on the following terms and conditions:

- (i) That the petitioner/A2 shall execute a personal bond for a sum of Rs.10,000/-(Rupees ten thousand only) with two sureties for a like sum each to the satisfaction of the Metropolitan Sessions Judge, L.B.Nagar, Ranga Reddy District.
- (ii) that the petitioner/A2 shall appear before the Investigating Officer on 2nd and 4th Saturday of every month between 10.00 AM to 2.00 PM., till completion of investigation or filing of charge sheet, whichever is earlier.
- (iii) Thereafter, the petitioner/A2 shall appear before the Court concerned personally on each date of hearing till conclusion of trial.
- (iv) that the petitioner/A2 shall not indulge in any similar type of activities in future.
- (v) that the petitioner/A2 shall not tamper with the prosecution witnesses;

- (vi) that the petitioner/A2 shall co-operate with the investigating agency.
- (vii) that the petitioner/A2 shall not misuse the liberty granted to him.

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

**SD/- CH. VENKATESWAR
ASSISTANT REGISTRAR**

//TRUE COPY//


SECTION OFFICER

To

1. The Metropolitan Sessions Judge at L.B.Nagar, Ranga Reddy District
2. The II Metropolitan Magistrate, Rachakonda at L.B.Nagar
3. The Superintendent, Central Jail, R.R.District
4. The Station House Officer, Police Station, Meerpet, Rachakonda
Commissionerate, Ranga Reddy District
5. Two CCs to the Public Prosecutor, High Court at Hyderabad (OUT)
6. One CC to Sri J Sreenivasa Rao, Advocate (OPUC)
7. One spare copy.

HIGH COURT

GSD,J

DATED: 02.03.2020

ORDER:

CRLP. NO: 1289 of 2020

BAIL

