

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

FRIDAY, THE FIFTH DAY OF JUNE
TWO THOUSAND AND TWENTY .

**:PRESENT:
THE HON'BLE JUSTICE G.SRI DEVI**

CRIMINAL PETITION NO: 2278 OF 2020

Between:

Kandagatla Srikanth, S/o. Somaiah,

Petitioner/Accused No. 1

AND

The State of Telangana, through Station House Officer, Prohibition and Excise, Nakrekal P.S
rep. by its Public Prosecutor, High Court Hyderabad

Respondent/Complainant

Petition under Sections 437 & 439 of Cr.P.C, praying that in the circumstances stated in the petition and the grounds filed herein, the High Court may be pleased to enlarge the petitioners on bail in Cr. No. 1/2020 on the file of Station House Officer, Prohibition and Excise Station, Nakrekal, pending enquiry and trial;

The petition coming on for hearing, upon perusing the Petition and the ground filed therein and upon hearing the arguments of Sri Laxmajah Kanchani, Advocate for the Petitioner, and of the Public Prosecutor, for the Respondent, the Court made the following;

ORDER:

"This Criminal Petition, under Sections 437 and 439 of the Code of Criminal Procedure, 1973, is filed by the petitioner/A-1 seeking to grant bail to him in connection with Crime No.1 of 2020 on the file of Prohibition and Excise Police Station, Nakrekal, registered for the offences punishable under Sections 34(a) Read with Section 37(a) of Telangana State Excise Act, 1968(Adopted) and Rules 4(0) and 5(a) C.H.Rules, 1973 and under Section 8(c) read with Section 22 of NDPS Act, 1985.

2. Heard the learned counsel appearing for the petitioner/A-1, learned Public Prosecutor appearing for the respondent-State and perused the record.

3. Learned counsel for the petitioner/A1 submits that the petitioner has been falsely implicated in the crime based on the confessional statement of A3 and he never committed any offence as alleged by the prosecution. He further submits that the Investigating Officer has not followed the procedure as contemplated under the NDPS Act. He further submits that the petitioner was arrested on 31.01.2020 and that the entire investigation is completed, except filing of the charge sheet. He further submits that the petitioner is a law abiding citizen and he is ready to abide by any condition imposed by this Court.

4. Learned Public Prosecutor opposed the bail application and submitted that the petitioner/A1 has supplied the contraband to the toddy vendors. However, he submits that there are no criminal antecedents against the petitioner/A1.

5. Having regard to the facts and circumstances of the case and in view of the present scenario arising out of Covid-19 pandemic prevailing in the country and since it is represented that there are no criminal antecedents against the petitioner/A1, without advertting to the merits of the case, I am inclined to grant bail to the petitioner/A-1.

6. The Criminal Petition is accordingly allowed and the petitioner/A-1 is directed to be released on bail, subject to the following terms and conditions:

- (i) The petitioner/A-1 shall be released on bail on his executing a personal bond to the tune of Rs.25,000/- (Rupees twenty five thousand only) with two sureties for a like sum each to the satisfaction of the Judicial First Class Magistrate, Nakrekal.
- (ii) The petitioner/A1 shall not interfere with the investigation, intimidate or induce the material witnesses and he shall cooperate with the investigating agency.
- (iii) The petitioner/A-1 shall not misuse the liberty granted to him.
- (iv) The petitioner/A-1 shall personally appear before the Court concerned on each date of hearing.
- (v) The petitioner/A-1 shall not indulge in similar type of activities in future.
- (vi) If any deviation of the aforesaid conditions, liberty granted to the petitioner/A1 shall stand cancelled automatically.

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

Sd/- JUSTICE G.SRI DEVI

//TRUE COPY//
P. Venkatesh
REGISTRAR (JUDICIAL-II)

the
5/6

[Signature]
SECTION OFFICER

To,

1. The I Additional District and Sessions Judge, Nalgonda
2. The Judicial First Class Magistrate, Nakrekal, Nalgonda District.
3. The Superintendent, District Jail, Nalgonda
4. The Station House Officer, Prohibition and Excise, Nakrekal P.S, Nalgonda
5. Two CCs to Public Prosecutor, High Court of Telangana, at Hyderabad (OUT)
6. one CC to Sri Laxmaiah Kanchani, Advocate (OPUC)
7. one Spare Copy

HIGH COURT

GSD,J

DATE: 5-6-2020

ORDER

CRL.P. NO. 2278 OF 2020

BAIL

