

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

TUESDAY, THE NINTH DAY OF JUNE
TWO THOUSAND AND TWENTY

:PRESENT:
THE HON'BLE JUSTICE G SRI DEVI

CRIMINAL PETITION NO: 2305 OF 2020

Between:

Prem Kumar, S/o Sukumar,

....Petitioner/Accused

AND

The State of Telangana, Through PS Miyapur Rep. by Public Prosecutor, High Court at 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 release the Petitioner/Accused No.1 herein on bail in Crime No. 1176 of 2019, P.S Miyapur, on file of the Metropolitan Sessions Judge, Cyberabad, R.R. District at L.B. Nagar, for the offence U/s 18, 23, 25 A of the NDPS Act.

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of MR.T.RAHUL Advocate for the Petitioner and of the PUBLIC PROSECUTOR (TG) Advocate for the Respondent(s) and 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/Accused No.1 seeking to grant bail to him in Crime No.1176 of 2019 on the file of Miyapur Police Station, registered for the offences punishable under Sections 18, 23 and 25A of the NDPS Act.

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

3. Learned counsel for the petitioner/A-1 submits that the petitioner has been in judicial remand since more than five months; that the entire version of the Police of the alleged crime is concocted and fabricated; that a false case is foisted against the petitioner only to harass him; that the entire investigation in the case is completed; that all the other accused in the aforesaid crime were already enlarged on bail by this Court; that the petitioner has no criminal

antecedents; that the petitioner has to look after his old-aged ailing mother; and that the petitioner is ready to abide by any condition that may be imposed by this Court in the event of his enlargement on bail.

4. Learned Additional Public Prosecutor though opposed to grant bail to the petitioner, conceded to the fact that there are no criminal antecedents against the petitioner/A-1 and if he is enlarged on bail, stringent conditions may be imposed.

5. Having regard to the aforesaid facts and circumstances of the case and in view of the submission of the learned Additional Public Prosecutor that there are no criminal antecedents against the petitioner/A-1 and as the petitioner is in judicial custody since 30.12.2019, I am inclined to grant bail to the petitioner/A-1.

6. The Criminal Petition is 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 Metropolitan Sessions Judge, Cyberabad-cum-I Additional District and Sessions Judge, Ranga Reddy District, L.B.Nagar and one of such sureties shall be from the native place of petitioner/A-1.
- (ii) The petitioner shall not interfere with the investigation, intimidate or induce the material witnesses and shall cooperate with the investigating agency.
- (iii) The petitioner shall not misuse the liberty granted to him.
- (iv) The petitioner shall personally appear before the Court concerned on each date of hearing.
- (v) The petitioner shall not indulge in similar type of activities in future.

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

SD/- JUSTICE G.SRI DEVI

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

we
09/16

[Signature]
SECTION OFFICER

To

1. The Metropolitan Sessions Judge, Cyberabad-cum-I Additional District & Sessions Judge, R.R.District at L.B.Nagar
2. The Principal Junior Civil Judge-cum-VIII Metropolitan Magistrate, Kukatpally, Cyberabad.
3. The Superintendent, Central Prison, Cherlapally, Ranga Reddy District
4. The Station House Officer, Miyapur Police Station, Cyberabad.
5. One CC to MR.T.RAHUL Advocate [OPUC]
6. Two CCs PUBLIC PROSECUTOR (TG), High Court at Hyderabad (OUT)
7. One spare copy

HIGH COURT

GSD,J

DATED: 09.06.2020

CRL.P.NO.2305 OF 2020

BAIL

