

IN THE HIGH COURT FOR THE STATE OF TELANGANA
MONDAY, THE TWENTIETH DAY OF APRIL TWO THOUSAND AND TWENTY
:PRESENT:
THE HONOURABLE JUSTICE G SRI DEVI
CRIMINAL PETITION NO: 8432 OF 2019

Between:

Appaneni Venkata Krishna, S/o. Venkata Narayana

Petitioner/Accused

AND

The State of Telangana, Rep. by its Public Prosecutor, High Court of Telangana At
Hyderabad, through PS KPHB Colony Cyberabad.

Respondent/Complainant

Petition under Section 437 & 439 of Cr.P.C, praying that in the circumstances stated in the affidavit filed in support of the Criminal Petition, the High Court may be pleased to enlarge the Petitioner on Bail in FIR No.791 of 2019, dt.07.11.2019 on the file of KPHB Colony Police Station, Cyberabad, for the offence U/Sec.22(c) r/w 29 NDPSSA, 8c NDPSA

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI T RAJINIKANTH REDDY Advocate for the Petitioner, THE PUBLIC PROSECUTOR for the Respondent 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/A-1 seeking to grant bail to him in connection with Crime No.791 of 2019 on the file of KPHB Colony Police Station, Cyberabad District, registered for the offences punishable under Sections 22(c) read with Sections 28 and 29 of NDPS Act and u/s.8(c) of NDPS Act.

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 would submit that the case of the prosecution is false and baseless and the petitioner never involved in any offence as alleged by the prosecution. He further submits that no contraband was seized from the possession of the petitioner and he has been falsely implicated in the crime and that A3 and A4 in the aforesaid crime were already enlarged on bail vide orders dated 29.01.2020 in CrI.P.Nos.8390 and 8325 of 2019 and on the ground of parity, the petitioner/A1 may be released on bail. He further submits that the police have already recorded statements of all the material witnesses and entire investigation is completed except filing of charge sheet. He further submits that the petitioner/A1 is in judicial custody since 08.11.2019 and he is ready to abide by any condition that may be imposed by this Court in the event of his enlargement on bail.

4. Learned Public Prosecutor though opposed the bail application, but conceded the fact that no contraband was recovered from the possession of the petitioner/A1. He submits that the petitioner is a native of Kadapa District of the State of Andhra Pradesh and even if the bail of petitioner is

considered, some stringent conditions may be imposed to secure his presence.

5. Having regard to the facts and circumstances of the case and in view of the present scenario arising out of pandemic Covid-19 prevailing in the country and also the fact that A3 and A4 have already been enlarged on bail, 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 II Additional Junior Civil Judge-cum-XIX Metropolitan Magistrate, Kukatpally at Miyapur, Cyberabad.
- (ii) The petitioner/A-1 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.

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

Sd/- K. AMMAJI
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The II AJCJ cum X Addl Metropolitan Magistrate Kukatpally, Cyberabad
2. The Station House Officer, KPHB Colony, Police Station, Cyberabad District
3. One CC to SRI. T RAJINIKANTH REDDY Advocate [OPUC]
4. Two CC's to Public Prosecutor, High Court for the State of Telangana at Hyderabad (OUT)
5. One spare copy

Avs

HIGH COURT

GSDJ

DATED:20/04/2020

ORDER

CRLP.No.8432 of 2019



BAIL