

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

**TUESDAY, THE TWENTY THIRD DAY OF FEBRUARY
TWO THOUSAND AND TWENTY ONE**

PRESENT

THE HONOURABLE JUSTICE G SRI DEVI

CRIMINAL PETITION NO: 1128 OF 2021

Between:

Faisal @Usman, S/o. Mohd. Yousuf, Aged 24 years, Occ. Business, R/o. Lalaguda, Tarnaka, Hyderabad.

...Petitioner/Accused No.4

AND

The State of Telangana, represented by its Public Prosecutor, High Court for the State of Telangana, Hyderabad

...Respondent/Complainant

Petition under Section 438 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to grant an anticipatory bail in the event of Petitioner/Accused No. 4 being arrested by the S.H.O. Tukaramgate Police Station Secunderabad in connection with Crime No. 308 of 2020.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri S. Nagesh Reddy, Advocate for the Petitioner and the Additional Public Prosecutor on behalf of the Respondent.

The Court made the following: ORDER

HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION NO.1128 OF 2021

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973 (Cr.P.C.), is filed by the petitioner/A-4, for grant of anticipatory bail in Crime No.308 of 2020 of P.S. Tukaramgate, Hyderabad District, registered for the offences punishable under Section 34 of the Indian Penal Code and Section 22(c), 20(b)(ii)(B) of the NDPS Act.

Heard the learned counsel for the petitioner/A-4, the learned Additional Public Prosecutor representing the respondent-State and perused the record.

In the FIR, it is *inter alia* stated that on information on 31.12.2020 at 12.00 hours, the Additional Inspector of Police, P.S. Thukaramgate, Secunderabad, proceeded to the place of offence and found the petitioner/A-4 along with other accused in the possession of Narcotic Drugs i.e. 6 grams of MDMA Drug, 60 LSD blots, 40 Ecstasy Pills, small boxes each box containing 5 grams of Weed/Hash Oil, 964 grams of Weed/Hash Oil, 1 kg of ganja, while selling the same to the needy customers. Hence, the FIR.

Learned counsel for the petitioner/A-4 would submit that the petitioner is innocent and he is no way concerned with the alleged offence. The petitioner/A-4 is a law-abiding citizen and is prepared to abide by any condition which this Court may deem fit to impose in case of granting anticipatory bail. Hence, he prayed to grant anticipatory bail to the petitioner/A-4.

Learned Additional Public Prosecutor representing the respondent-State opposed to grant anticipatory bail to the petitioner/A-4.

As seen from the contents of the FIR, there are specific allegations against the petitioner/A-4 that he was in possession of narcotic drugs when the police conducted raid.

Having regard to the facts and circumstances of the case, nature and gravity of the offence, this Court is not inclined to grant anticipatory bail to the petitioner/A-4.

The Criminal Petition is, accordingly, dismissed. However, if the petitioner/A-4 surrenders before the competent Court within a period of fifteen days from today and applies for regular bail, the same shall be considered by the said Court, in accordance with law.

Miscellaneous applications, if any, pending shall stand closed.

SD/-I.NAGA LAKSHMI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

- To,
1. The XXII Additional Chief Metropolitan Magistrate, Secunderabad, Hyderabad District.
 2. The Station House Officer, Tukaramgate Police Station, Secunderabad, Hyderabad District.
 3. Two CCs to the Additional Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
 4. One CC to Sri S. Nagesh Reddy, Advocate [OPUC]
 5. Two CD Copies

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HIGH COURT

DATED:23/02/2021



ORDER

CRLP.No.1128 of 2021

DISMISSING THE CRIMINAL PETITION

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REMA
05/3/2021