

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

MONDAY, THE FIFTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY ONE

:PRESENT:

THE HONOURABLE JUSTICE G SRI DEVI

CRIMINAL PETITION NO: 1793 OF 2021

Between:

Kudali Abhinay @ Abbas, S/o. Damodar,

Petitioner/Accused

AND

The State of Telangana, through SHO Karimnagar III Town Police Station, Karimnagar rep. by its Public Prosecutor, High Court , 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 grant regular bail to the Petitioner in connection with his arrest in Crime No.149 of 2020 on the file of the Karimnagar III Town Police Station, on such terms as the Honourable Court deems fit and proper in the circumstances of file case.

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of SRI E V VENUGOPAL Advocate for the Petitioner and the Assistant PUBLIC PROSECUTOR for the Sole Respondent, the Court made the following.

ORDER:

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.1793 of 2021

ORDER:

This Criminal Petition, under Sections 437 and 439 of the Code of Criminal Procedure, 1973, is filed by the petitioner/A2 seeking to grant bail to him in connection with Cr.No.149 of 2020 on the file of Karimnagar III Town Police Station, Karimnagar District, registered for the offence punishable under Section 20(b)(ii) and 8(c) of NDPS Act, 1985.

2. Heard learned counsel appearing for the petitioner/A2, learned Assistant Public Prosecutor appearing for the respondent-State and perused the record.

3. Learned counsel for the petitioner submits that the petitioner is a student and he has been falsely implicated in the crime based on the confession made by A1, who was enlarged on bail by the lower Court. He further submits that the petitioner was arrested on 21.01.2021 in connection with the aforesaid crime alleging that he along with A1 has been found in possession of 4 kgs of dry ganja said to have been purchased from an unknown person at Dhoolpet, Hyderabad, at low price with an intention to sell the same at higher price at Karimnagar Town. He further submits that the entire investigation is completed, except filing of the charge sheet. He also submits that the petitioner is a law abiding citizen and ready to abide by any condition imposed by this Court in the event of his enlargement on bail.

4. Learned Assistant Public Prosecutor vehemently opposed the bail application and submits that the petitioner is habitual offender having involved in other two cases registered under Indian Penal Code.

5. Having regard to the facts and circumstances of the case and looking into the nature of allegations leveled against the petitioner/A2 and in view of the quantity of the contraband alleged to have been seized from

the possession of the accused, without adverting to the merits of the case, I am inclined to grant bail to the petitioner/A2.

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

- (i) The petitioner/A2 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 Principal Junior Civil Judge-cum-Judicial Magistrate of First Class, Karimnagar.
- (ii) On such release, the petitioner/A2 shall appear before the Investigating Officer on 1st and 3rd Saturday of every month between 10.00 AM to 2.00 PM., till completion of investigation or filing of the charge sheet, whichever is earlier.
- (iii) the petitioner/A2 shall appear before the Court concerned personally on each date of hearing till conclusion of trial.
- (iv) the petitioner/A2 shall not indulge in any similar type of activities in future; If he is indulged in similar type of activities in future, liberty granted to him shall stand cancelled automatically.
- (v) the petitioner/A2 shall not tamper with the prosecution witnesses;
- (vi) the petitioner/A2 shall co-operate with the investigating agency.
- (vii) the petitioner/A2 shall not misuse the liberty granted to him.

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

//TRUE COPY//

**SD/- K. ONESIM
ASSISTANT REGISTRAR**

SECTION OFFICER

To,

1. The Principal Junior Civil Judge cum Judicial Magistrate of First Class at Karimnagar.
2. The 1st Additional Sessions Judge, Karimnagar.
3. The Superintendent Central Prison, at Karimnagar, TS.
4. The Station House Officer, Karimnagar III Town Police Station, Karimnagar District.
5. One CC to SRI. E V VENUGOPAL Advocate [OPUC]
6. Two CCs to PUBLIC PROSECUTOR, High Court at Hyderabad. [OUT]
7. One Spare Copy

HIGH COURT

GSDJ

DATED:15/03/2021



ORDER

CRLP.No.1793 of 2021

BAIL