

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THURSDAY, THE FIFTEENTH DAY OF APRIL TWO THOUSAND AND TWENTY ONE

**:PRESENT:
THE HONOURABLE JUSTICE G SRI DEVI**

CRIMINAL PETITION NOS: 2608 & 2661 OF 2021

CRL.P.NO.2608 OF 2021

Between:

1. Pawar Ganapathi, S/o. Shanker.
2. Andarugo Ranjith Kumar, S/o. Babu Rao

Petitioner/Accused Nos.1 & 3

AND

The State of Telangana. Through P.S. Kakatiya University Campus KUC, Rep. by
Public Prosecutor, High Court at Hyderabad.

Respondent/Complainant

Petition under Sections 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 Petitioners/Accused Nos. 1 and 3 on bail in Crime No. 311 of 2020, on the file of the Police Station Kakatiya University Campus (KUC), Warangal District.

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of PALLE SRIHARINATH, Advocate for the Petitioners, Asst. PUBLIC PROSECUTOR for the Respondent.

CRL.P.NO.2661 OF 2021:

Between:

Dugyala Vinay Kumar, S/o.Narsinga Rao.

Petitioner/Accused No.2

AND

The State of Telangana, Rep. by its Public Prosecutor High Court of for the State of
Telangana, At Hyderabad.

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 release the petitioner on bail in Crime No.311 of 2020 on the file of Kakatiya University Campus Police Station, Warangal, Warangal Urban District.

These petitions coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of Sri A PRABHAKAR RAO, Advocate for the Petitioner, Asst. PUBLIC PROSECUTOR for the Respondent, the Court made the following.

ORDER:

THE HONOURABLE JUSTICE G. SRI DEVI
CRIMINAL PETITION Nos.2608 and 2661 of 2021

COMMON ORDER:

Since both these criminal petitions, under Sections 437 and 439 of the Code of Criminal Procedure, 1973, arise out of Cr.No.311 of 2020 on the file of Kakatiya University Campus Police Station, Warangal District, registered for the offence punishable under Section 8(c) read with Section 20(b)(ii) of NDPS Act, 1985, they are being disposed of by this common order.

2. Crl.P.No.2608 of 2021 is filed by petitioners/A1 and A3 and Crl.P.No.2661 of 2021 is filed by petitioner/A2 seeking to grant bail to them in connection with the aforesaid crime.

3. Heard Sri Palle Srihari Nath, learned counsel for the petitioners/ A1 and A3 in Crl.P.No.2608 of 2021; Sri A. Prabhakar Rao, learned counsel for the petitioner/A2 in Crl.P.No.2661 of 2021, learned Assistant Public Prosecutor appearing for the respondent-State and perused the record.

4. It is alleged in the remand case diary that on 21.11.2020 at 0500 hours, while the S.I. of Police along with his staff were conducting vehicle check, they found a car and a lorry and apprehended four persons from the vehicles, and on enquiry, they seized total 200 kgs of dry ganja along with the vehicles under a cover of panchanama and thereafter, registered the aforesaid case against A1 to A4.

5. Learned counsel for the petitioners/A1 and A3 in Crl.P.No.2608 of 2021 submits that the petitioners have been falsely implicated in the aforesaid crime. He further submits that as per the confessional statement of accused, A1 has engaged the petitioners as coolies to transport ganja and that the petitioners have no acquaintance with the other accused. He

further submits that the entire investigation is completed, except filing of the charge sheet. He also submits that the petitioners were arrested on 21.11.2020 and they are not having any criminal antecedents and they are law abiding citizens and ready to abide by any condition imposed by this Court in the event of their enlargement on bail.

6. Learned counsel for the petitioner/A2 in Cr.P.No.2661 of 2021 submits that the petitioner/A2 has not committed any offence as alleged by the prosecution and that no contraband was seized from his possession. He further submits that as per the confessional statement of accused, A1 has engaged the petitioner as coolie to transport ganja and that the petitioner has no acquaintance with the other accused. He further submits that the entire investigation is completed, except filing of the charge sheet. He also submits that the petitioner was arrested on 22.11.2020 and he is not having any criminal antecedents and he is a law abiding citizen and ready to abide by any condition imposed by this Court in the event of his enlargement on bail.

7. Learned Assistant Public Prosecutor vehemently opposed the bail application and submitted that the entire investigation is completed and charge sheet has been filed in the aforesaid crime.

8. Having regard to the facts and circumstances and in view of the nature of allegations leveled against the petitioners and since the charge sheet has already been filed in the aforesaid crime, I am inclined to grant bail to the petitioners.

9. The Criminal Petitions are allowed and the petitioners/A1 and A3 in Cr.P.No.2608 of 2021 and the petitioner/A2 in Cr.P.No.2661 of 2021 are directed to be released on bail, subject to the following terms and conditions:

- (i) The petitioners/A1 and A3 in Cr.P.No.2608 of 2021 shall be released on bail on their executing a personal bond to the tune of

Rs.50,000/- (Rupees fifty thousand only) each with two sureties, out of which one surety shall be from their native place, for a like sum each to the satisfaction of the VI Additional Judicial First Class Magistrate, Warangal.

(ii) The petitioner/A2 in Crl.P.No.2661 of 2021 shall be released on bail on his executing a personal bond to the tune of Rs.50,000/- (Rupees fifty thousand only) with two sureties, out of which one surety shall be from his native place, for a like sum each to the satisfaction of the I Additional Sessions Judge, Warangal, Warangal District.

(ii) On such release, the petitioners shall appear before the Investigating Officer on every Saturday between 10.00 AM to 2.00 PM., till completion of investigation or filing of the charge sheet, whichever is earlier.

(iii) the petitioners shall appear before the Court concerned personally on each date of hearing till conclusion of trial.

(iv) the petitioners shall not indulge in any similar type of activities in future; If they are indulged in similar type of activities or involved in any other criminal cases in future, liberty granted to them shall stand cancelled automatically.

(v) the petitioners shall not tamper with the prosecution witnesses;

(vi) the petitioners shall co-operate with the investigating agency.

(vii) the petitioners shall not misuse the liberty granted to them.

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

//TRUE COPY//

SD/- B. SATYAVATHI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Special Sessions Judge for NDPS Cases-cum-I Addl. Sessions Judge, Warangal.
2. The I Addl. Sessions Judge, Warangal
3. The VI Addl. Judicial First Class Magistrate at Warangal.
4. The Superintendent, Central Prison at Warangal.
5. The Station House Officer, Kakatiya University Campus Police Station, Warangal, Warangal Urban District.
6. One CC to SRI PALLE SRIHARINATH Advocate [OPUC]
7. One CC to Sri A PRABHAKAR RAO, Advocate (OPUC)
8. Two CCs to PUBLIC PROSECUTOR, High Court at Hyderabad (OUT)
9. One spare copy

mvj

HIGH COURT

GSDJ

DATED:15/04/2021

ORDER

CRLP.Nos.2608 & 2661 of 2021

BAIL

