

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No. 8183 of 2021

ORDER:

This Criminal Petition under Sections 437 and 439 Cr.P.C. is filed by petitioner – Accused No. 1 in Crime No. 201 of 2021 on the file of Sahinayathgunj Police Station registered for the offence punishable under Section 8(c) read with Section 20(b)(ii)(C) of Narcotic Drugs and Psychotropic Substances Act, 1985, seeking bail.

2. The case of prosecution is that on 04.10.2021, at 18.30 hours, L.W.1 received a report from Sri K. Veerabhadra, Additional Inspector of Police, Shahinayathgunj Police Station, wherein it is stated that on the said date, at 17.00 hours, he received credible information that Accused Nos. 2 and 3 were delivering ganja under Sitalamata Grave Yard. They proceeded to the said place and found Accused Nos. 2 and 3 who revealed that there are ganja packets belonging to Accused No.1 who is father of Accused No.2 and they were stored for supply to sellers and needy customers. It is alleged that total 12 packets approximately weighing about 2 kgs. were seized from them.

3. Learned counsel for petitioner Sri T.S. Praveen Kumar submits that contraband of 24 kgs. is seized in this crime and petitioner was arrested and remanded to judicial custody on 30.10.2021. He submits that petitioner is aged about 60 years and suffering from health disorders and once admitted in Osmania General Hospital also. According to learned counsel, petitioner has been implicated in this case, as, earlier, certain cases were registered against him. Learned counsel submits that Accused

No.2 was already granted bail, hence, the case of petitioner – Accused No.1 may also be considered for grant of bail.

4. On the other hand, learned Assistant Public Prosecutor submits that petitioner is a habitual offender and several cases were registered against him. He submits that case of Accused No.2 stands altogether on a different footing and RFSL report is awaited, hence, petitioner is not entitled for grant of bail.

5. In response to the said submissions, learned counsel for petitioner submits that crimes registered against petitioner are prior to 2015 and in all those cases, he was acquitted and for statistical purposes, he has been implicated in this case.

6. Taking into consideration the age and health condition of petitioner, this Court deems it appropriate to grant bail to him, however, on certain conditions.

6. The Criminal Petition is therefore, allowed. Petitioner – Accused No.1 shall be enlarged on bail in connection with Crime No. 201 of 2021 on the file of Shahinayathgunj Police Station on his executing a personal bond for a sum of Rs.1,00,000/- (Rupees one lac only) with two sureties for a like sum each to the satisfaction of I Additional Metropolitan Sessions Judge, Metropolitan Criminal Courts at Hyderabad. Petitioner – Accused No. 1 shall appear before the police concerned on every Sunday between 10.00 a.m. and 2.00 P.M. till completion of trial.

LALITHA KANNEGANTI, J

17th December 2021

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