

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
TUESDAY, THE TWENTY THIRD DAY OF NOVEMBER TWO THOUSAND AND
TWENTY ONE

:PRESENT:

THE HONOURABLE SMT JUSTICE LALITHA KANNEGANTI
CRIMINAL PETITION NO: 8330 OF 2021

Between:

Chakali Venkatesh, S/o. Sathaiah

...Petitioner/Accused No.2

AND

State of Telangana, represented through Public Prosecutor, High Court
Buildings, Hyderabad.

...Respondent/Complainant

Petition under Section 437 and 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 direct the VI Additional Chief Metropolitan Magistrate, Ranga Reddy District, to enlarge the petitioner on bail in respect of Crime No.1132/2021 on the file of P.S, L.B Nagar, Rachakonda Commissionerate, Ranga Reddy District.

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of M/s P.V.L BHANU PRAKASH Advocate for the Petitioner and of Assistant PUBLIC PROSECUTOR for the Respondent, the Court made the following.

ORDER:

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No. 8330 of 2021

ORDER:

This Criminal Petition under Sections 437 and 439 Cr.P.C. is filed by petitioner - Accused No. 2 in Crime No. 1132 of 2021 on the file of P.S. L.B. Nagar registered for the offence punishable under Section 8-C read with Section 20(b)(ii)(B)&(C) of Narcotic Drugs and Psychotropic Substances Act, 1985, seeking bail.

2. Prosecution alleges that on 16.09.2021, at about 16.30 hours, on credible information, respondent - police have apprehended the petitioner - Accused No.2 and other persons at D.V.M. College, Siris Road, L.B. Nagar and found them transporting four Hashish oil bottles on Honda Unicorn Motor cycle bearing Registration No. TGS 15 EX 5626.

3. Learned counsel for petitioner Sri P.V.L. Bhanu Prakash submits that contraband of 750 ml. of Hashish oil was seized in this crime. He further submits that the said quantity is not a commercial quantity, as such, there is no bar under Section 37 of the NDPS Act to grant bail to petitioner. He also submits that petitioner has no criminal antecedents and that he is ready to cooperate with the investigation.

4. Learned Assistant Public Prosecutor also does not dispute the fact that the petitioner has no criminal antecedents.

5. Taking into consideration the fact that contraband seized from petitioner is not a commercial quantity, this Court is of the

opinion that there is no bar under Section 37 of the NDPS Act to grant bail to petitioner and further, nothing is forthcoming to show that he has criminal antecedents.

6. The Criminal Petition is therefore, allowed. The petitioner - Accused No. 2 shall be enlarged on bail in connection with Crime No. 1132 of 2021, P.S. L.B. Nagar, on his executing a personal bond for a sum of Rs.50,000/- [Rupees fifty thousand only] with two sureties for a like sum each to the satisfaction of VI Additional Chief Metropolitan Magistrate, Ranga Reddy District. The petitioner - Accused No. 2 shall appear before the police till completion of trial on every Sunday between 10.00 a.m. and 1.00 p.m.

//TRUE COPY//

SD/- T. KRISHNA KUMAR
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The VI Additional Chief Metropolitan Magistrate, Ranga Reddy District.
2. The Metropolitan Sessions Judge, Cyberabad, Ranga Reddy District, at L.B Nagar.
3. The XXVIII Additional Metropolitan Magistrate-Cum Additional Junior Civil Judge at L.B Nagar, Cyberabad.
4. The Station House Officer, L.B Nagar, Rachakonda Commissionerate, Ranga Reddy District.
5. The Superintendent, Central Prison, Cherlapalli Jail, Ranga Reddy District.
6. One CC to M/s. P.V.L BHANU PRAKASH, Advocate [OPUC].
7. Two CCs to PUBLIC PROSECUTOR, High Court for the State of Telangana at Hyderabad [OUT].
8. One spare copy
ZEE

HIGH COURT

LKJ

DATED:23/11/2021

ORDER



CRLP.No.8330 of 2021

BAIL