

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION NO.3181 OF 2022****ORDER:**

This Criminal Petition is filed under Section 438 of the Code of Criminal Procedure, 1973 (for short "Cr.P.C.") seeking pre-arrest bail to the petitioners/Accused Nos.24 and 25 in the event of their arrest in connection with Crime No.26 of 2022 on the file of Station House Officer, Bollaram Police Station, Hyderabad registered for the offence punishable under Section 8(C) read with Section 20 (b) (ii) (C) and 27 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the NDPS Act')

2. Heard the learned counsel for the petitioners and learned Assistant Public Prosecutor for the respondent-State. Perused the record.

3. During the course of investigation these petitioners were identified as drug consumers and remanded to police custody on 29.03.2022. Even according to the remand report there are no other allegations except stating that the petitioners were regular consumers of drugs and accordingly remanded to judicial custody.

4. The learned Counsel for the petitioners submits that according to the prosecution the petitioners were only drug consumers and protection is also prescribed under NDPS Act. However, keeping in view that the allegation against these petitioners is only of drug consumers, the petitioners can be released on bail.

5. Accordingly, the Criminal Petition is allowed and the petitioners/Accused Nos.24 and 25 are granted bail subject to the following conditions:

- i) The petitioners/Accused Nos.24 and 25 are directed to surrender before the Station House Officer, Bollaram Police Station, Hyderabad, within a period of fifteen (15) days from today, and on such surrender, the said Station House Officer shall release the petitioners/Accused Nos.24 and 25 on bail on their executing a personal bond for a sum of Rs.20,000/- (Rupees Twenty Thousand Only) each with two sureties to the like sum each to his satisfaction.
- ii) The petitioners/Accused Nos.24 and 25 shall appear before the police concerned on every Saturday between 10.00 a.m. and 1.00 p.m. for a period of two months.

iii) The petitioners/Accused shall abide by the other conditions stipulated in Section 438(2) Cr.P.C.

6. As a sequel thereto, miscellaneous applications, if any pending, shall stand closed.

K.SURENDER,J

Date: 18.04.2022
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