

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION NO.3475 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 petitioner/Accused No.15 in the event of his 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 petitioner and learned Assistant Public Prosecutor for the respondent-State. Perused the record.

3. During the course of investigation this petitioner was identified as drug consumer. Even according to the remand report there are no other allegations except stating that the petitioner was regular consumer of drugs.

4. The learned Counsel for the petitioner submits that according to the prosecution the petitioner was only drug consumer and protection is also prescribed under NDPS Act. However, keeping in view that the allegation against this petitioner is only of drug consumer, the petitioner can be granted relief.

5. Accordingly, the Criminal Petition is allowed and the petitioner/Accused No.15 is granted bail subject to the following conditions:

i) The petitioner/Accused No.15 is 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 petitioner/Accused No.18 on bail on his executing a personal bond for a sum of Rs.20,000/- (Rupees Twenty Thousand Only) with two sureties to the like sum each to his satisfaction.

ii) The petitioner/Accused No.15 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 petitioner/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: 22.04.2022
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