

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.4224 OF 2022

ORDER:

This Criminal Petition is filed under Sections 437 and 439 of Code of Criminal Procedure, 1973 (for short "Cr.P.C."), seeking to enlarge the petitioners/Accused Nos.1 to 4 on bail in connection with Crime No.28 of 2022 pending on the file of Bhanoor Police Station, Sangareddy District, registered for the offence punishable under Section 20(b)(ii)(C) of N.D.P.S.Act, 1985.

2. Heard learned counsel for the petitioners/accused Nos.1 to 4 and learned Assistant Public Prosecutor for the respondent-State and perused the record.

3. The case of the prosecution is that on 26.01.2022 Crime No.16 of 2022 was registered under Section 20(b)(ii)(C) of N.D.P.S.Act, 1985 by the Station House Officer, Sadasivpet Police Station, Sangareddy District, and two accused persons were sent to remand for transporting 1000 Kgs. of Ganja. Thereafter, the Station House Officer, Bhanoor Police Station, Sangareddy, registered the present case in Crime No.28 of 2022 on 02.02.2022 pursuant to the seizure of 30 Kgs. of Ganja from the petitioners. During the investigation, the petitioners confessed before the Station House Officer, Bhanoor Police Station, Sangareddy District, that they were also involved in the

transportation of 1000 kgs. of Ganja earlier. On further enquiry, these petitioners were also shown as accused in the present Crime No.28 of 2022, which is on the basis of the confession made in Crime No.16 of 2022 on the file of Bhanoor Police Station.

4. Learned counsel for the petitioners submits that the names of these petitioners were not reflected in the Remand Report dated 26.01.2022 in Crime No.16 of 2022.

5. In the said circumstances, it cannot be said that these petitioners are not complicit in the said offence of transportation of 1000 kgs. of Ganja, subsequently, these petitioners were remanded in Crime No.16 of 2022 also.

6. In the said circumstances, since the contraband involved is more than commercial quantity, this Court is not inclined to grant bail to all the petitioners. However, learned counsel for petitioners submits that the petitioner No.4/accused No.4 is housewife having minor children to look after. For the said reason, this Court is inclined to grant bail to the petitioner No.4/accused No.4 only, on the following conditions:

- i) The petitioner No.4/Accused No.4 is directed to be released on bail on her executing personal bond for Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties for a like sum each, among which one is local surety and the other is native surety to the satisfaction of the Additional Judicial First Class Magistrate, at Sangareddy.

- ii) The petitioner No.4/Accused No.4 shall appear before the concerned Police on every Monday between 10.00 A.M. and 05.00 P.M., for a period of three months or until filing of charge sheet, whichever is earlier.
- iii) The petitioner No.4/Accused No.4 shall comply with the conditions as laid down under Section 437 (3) of Cr.P.C.

7. The criminal petition against rest of the petitioners/accused Nos.1 to 3 is dismissed. Accordingly, this criminal petition is partly allowed.

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

K.SURENDER, J

Date :20.06.2022

svl

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.4224 OF 2022

Dt.20.06.2022

SVL