

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No. 5241 of 2022

ORDER:

This Criminal Petition is filed under Section 437 & 439 of the Code of Criminal Procedure, 1973 (for short "Cr.P.C.") seeking to enlarge the petitioners/A1 & A2 on bail in connection with Crime No.590 of 2022, on the file of Malkajgiri Police Station, Rachakonda, for the offences punishable under Section 8(c) read with 20(b)(ii)(B) NDPS Act.

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

3. The petitioners were apprehended by Malkajgiri Police on 18.06.2022 and found 2 kgs. of ganja in their possession. After conducting panchanama and other procedures as prescribed under NDPS Act, the petitioners were sent to judicial custody on 19.06.2022.

4. Learned counsel for petitioners submits that the apprehended contraband is only 2 kgs. which is less than the commercial quantity and since they are in jail from 19.06.2022 they may be released on bail. He further submits that the 2nd petitioner is a student and the 1st petitioner is doing private service.

5. Learned Assistant Public Prosecutor submits that there are no other criminal cases pending against these petitioners.

6. In the said circumstances, wherein the seized contraband is only 2 kgs which is less than the commercial quantity, the petitioners can be released on bail subject to following conditions:

i. The petitioners/A1 and A2 are directed to be released on bail on their executing personal bonds for Rs.20,000/-(Rupees Twenty Thousand only) each with two sureties for a like sum each, to the satisfaction of Principal Junior Civil Judge-cum-Metropolitan Magistrate, Malkajgiri.

ii. On such release, the petitioners/A1 and A2 shall appear before the concerned Police Station on every Monday between 10.30 a.m. to 1.00 p.m. for a period of three months or till filing of charge sheet whichever is earlier, for the purpose of investigation.

iii. The petitioners/A1 and A2 shall comply with the conditions as laid down under Section 437 (3) of Cr.P.C.

7. Accordingly, the Criminal Petition is allowed.

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

Date :08.07.2022
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K.SURENDER, J

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