

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No. 5351 of 2022

ORDER:

This Criminal Petitions is filed under Sections 437 and 439 of the Criminal Procedure Code by the petitioner/Accused in C.O.R.No.55/2022 on the file of Prohibition & Excise Police Station, Khammam-I, registered for the offences punishable under Sections 8(c) read with 20(b)(ii)(C) of NDPS Act, 1985.

2. The case of the prosecution is that the petitioner was arrested by the prohibition and excise personnel of Khammam for being in possession of dry ganja. The said dry ganja was when weighed was 9 kgs. kept in a plastic bag.

3. Learned Counsel for the petitioner submits that the quantity seized is less than the commercial quantity and the petitioner has been falsely implicated in the present case.

4. Learned Assistant Public Prosecutor submits that there no other criminal cases pending against this petitioner.

5. For the reason of the contraband being less than the commercial quantity and the petitioner is not having questionable antecedents, bail can be granted to this petitioner subject to following conditions.

- i) The petitioner/Accused shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties for a like sum each to the satisfaction of the Special Sessions Judge For the trial of Cases under Narcotic Drugs and Psychotropic Substances Act-cum-I Additional Sessions Judge at Khammam.
- ii) The petitioner/Accused shall appear before the concerned S.H.O. on every Monday between 10.30 a.m. and 01.00 p.m. for a period of three months or until filing of the charge sheet whichever is earlier.
- iii) The petitioner/Accused shall abide by the other conditions stipulated in Section 437(3) of Cr.P.C.

6. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

30.06.2022
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K.SURENDER, J

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