

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION NO.5918 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 regular bail to the petitioners/A1 to A3 in Crime No.84 of 2022 on the file of Madhapur Police Station, Cyberegabad Commissionerate, registered for the offences punishable under Section 20(b)(ii)(c) of NDPS Amendment Act, 2001.

2. Learned Counsel for the petitioners submits that investigation is complete and charge sheet already filed.

3. Further there is any amount of discrepancy regarding the very initial claim of the police regarding the contraband describing them as leaves, however, subsequent FSL report reflects that it is Ganja. The definition under Section 2 of the NDPS Act does not identify only leaves as either cannabis or ganja or cannabis plant. The said ground and any other grounds raised by this petitioner shall be considered by the Special Court either under Section 439 or 227 of Cr.P.C. before proceedings for trial. In the event of filing any

application either under Section 439 or 227 of Cr.P.C by the accused, the concerned Court shall dispose of the same, within two weeks.

Accordingly, the Criminal Petition is disposed off.

Miscellaneous applications, pending if any, shall stand closed.

K.SURENDER, J

Date: 01.08.2022
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THE HON'BLE SRI JUSTICE K.SURENDER

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Dt.01.08.2022

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