

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.6966 of 2022

ORDER:

This Criminal Petition is filed under Section 439 of the Code of Criminal Procedure, 1973 (for short "Cr.P.C.") seeking to enlarge the petitioner/Accused Nos.1 and 4 on bail in connection with Crime No.313 of 2022, on the file of Khammam II Town Police Station, registered for the offences punishable under Section 8(c) r/w 20(b) of NDPS Act, 1985.

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

3. The case against the petitioners is that 06.07.2022 at 15.00 hours the petitioners were apprehended while they were in illegal possession of dry ganja. The accused confessed that they purchased 18 kgs of ganja and sold 15 kgs of ganja to some others and the petitioners were found in possession of the remaining quantity of ganja. The allegation is that they were found in possession of three kgs of ganja. The petitioners were remanded to judicial custody on 07.07.2022.

4. The learned counsel for the petitioners submits that the quantity seized is less than the commercial quantity and that there are no other cases against the petitioners which is not disputed by the learned Assistant Public Prosecutor.

5 Since the contraband seized was three kgs, petitioners can be released on bail subject to the following conditions:

i. The petitioners/Accused Nos.1 and 4 are directed to be released on bail on each of them executing personal bonds for Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties for a like sum each, to the satisfaction of I Additional Judicial First Class Magistrate at Khammam,

ii. On such release, the petitioners/Accused Nos.1 and 4 shall appear before the concerned Station House Officer on every Monday between 10.30 a.m. to 1.00 p.m. for a period of three weeks, for the purpose of investigation.

iii. The petitioner/accused shall comply with the conditions as laid down under Section 437 (3) of Cr.P.C.

6. Accordingly, the criminal petition is allowed.

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

K.SURENDER, J

Date :10.08.2022

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Dt.10.08.2022

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