

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.7876 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 who are arrayed as Accused Nos.5 and 6 in Crime No.500 of 2022 pending on the file of Station House Officer, SR Nagar Police Station, Hyderabad registered for the offence punishable under Section 8(C) read with Section 22(c), 27 of Narcotic Drugs and Psychotropic Substance Act, 1985.

2. Heard learned counsel for the petitioners/Accused Nos.5 and 6 and the learned Assistant Public Prosecutor for the respondent-State. Perused the record.

3. The case of the prosecution is that the Panjagutta Police searched the premises near KCR Classic Apartments and found these petitioners who were arrayed as Accused Nos.5 and 6.

4. The allegation against these petitioners is that Accused No.3 has sold two grams of MDMA drug to the 1st petitioner/Accused No.5

and Accused No.4 sold two grams of MDMA drug to the 2nd petitioner/Accused No.6.

5. On instructions learned Assistant Public Prosecutor would submit that there are no other cases pending against these petitioners.

6. As seen from the remand report, these petitioners appear to be consumers and since there are no other cases pending against these petitioners, they can be granted the relief of regular bail. Furthermore the drug seized is two grams which is less than commercial quantity.

7. Accordingly, the Criminal Petition is allowed and the petitioners/Accused Nos.5 and 6 are granted bail subject to the following conditions:

i) The petitioners/Accused Nos.5 and 6 shall execute personal bonds for a sum of Rs.50,000/- (Rupees Fifty Thousand only) each with two sureties for a like sum each to the satisfaction of III Additional Chief Metropolitan Magistrate, Hyderabad.

ii) The petitioners/Accused Nos.5 and 6 shall appear before the concerned Station House Officer on every Monday between 10.30 AM and 01.00 PM for a period of eight (08) weeks or until filing of charge sheet whichever is earlier.

iii) The petitioners/Accused Nos.5 and 6 shall abide by the other conditions stipulated in Section 437(3) of Cr.P.C.

Miscellaneous applications, pending if any, shall stand closed.

K.SURENDER, J

Date: 06.09.2022
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