

HON'BLE Dr. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.10484 of 2022

ORDER:

1. Heard Sri Venukumar Gosula, learned counsel on record for the petitioners as well as the learned Additional Public Prosecutor who is representing the Respondent.

2. Seeking the Court to enlarge the petitioners, who are arrayed as Accused Nos.1 to 4 in C.O.R.No.105 of 2022 of Prohibition & Excise Station, Peddapalli, Peddapalli District, on bail, the present Criminal Petition is filed.

3. Learned counsel for the petitioners submits that the petitioners are illiterates and were eking out their livelihood as coolies. Learned counsel submits that as per the version of the prosecution, the petitioners were found in possession of 1100 grams of Ganja and as the entire investigation is completed and as the contraband is less than commercial quantity, they may be enlarged on bail.

4. The submission of the learned Additional Public Prosecutor is that the petitioners were apprehended on 03.11.2022 and 1100 grams of Ganja was seized from their

possession. Learned Additional Public Prosecutor also states that two material witnesses were already examined.

5. Having considered the submissions thus made, this Court is of the view that the request of the petitioners can be honoured, however, conditionally.

6. Resultantly, the Criminal Petition is allowed with the following conditions:-

(i) The petitioners/Accused Nos.1 to 4 shall be enlarged on bail on their executing a personal bond for Rs.30,000/- (Rupees Thirty Thousand only) each with two sureties for like-sum each to the satisfaction of the Court concerned. The sureties are directed to submit their two latest passport size photographs at the time of furnishing solvency. One such photograph is ordered to be pasted in the Surety Register against the name of the surety. The other photograph shall be kept in the case record concerned.

(ii) The petitioners/Accused Nos.1 to 4 shall report before the Station House Officer, Prohibition and Excise Station, Peddapalli, Peddapalli District,

on every Monday between 10.30 AM and 12.00 PM till filing of final report.

- (iii) The petitioners/Accused Nos.1 to 4 should not involve in any unlawful activity.
- (iv) The petitioners/Accused Nos.1 to 4 should afford all assistance for the proper investigation of the case.
- (v) The petitioners/Accused Nos.1 to 4 should not cause the evidence of the offence disappear.
- (vi) The petitioners/Accused Nos.1 to 4 should not tamper with the evidence in any manner.
- (vii) The petitioners/Accused Nos.1 to 4 should not by way of inducement, threat or promise, dissuade any person who is acquainted with the facts of the case, from disclosing such facts to the Court or to the Police Officer.
- (viii) In case the petitioners/Accused Nos.1 to 4 holds a passport, they shall surrender the same if the same is not seized till now.
- (ix) The petitioners/Accused Nos.1 to 4 should ensure their presence whenever required by the Court or Police.

- (x) The petitioners/Accused Nos.1 to 4 shall not leave India without previous permission of the Court concerned.
- (xi) The petitioners/Accused Nos.1 to 4 shall file an affidavit before the Court concerned disclosing the following particulars:-
- (1) Contact number
 - (2) Mail address
 - (3) Residential particulars.

In case, there is any change in the aforementioned details, the petitioners shall intimate the Court concerned by giving a fresh affidavit duly mentioning the change. They shall continue to do so till filing of the final report.

Any deviation of the above conditions would entitle the respondent to take appropriate steps for cancellation of the bail granted.

Dr. JUSTICE CHILLAKUR SUMALATHA

Date:05.12.2022

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