

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION NO.6771 OF 2023****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 petitioner/Accused No.1 in Crime No.430 of 2022 on the file of Meerpet Police Station, Rachakonda, registered for the offence under Section 20(b) (ii) (c) r/w. 8(c) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short ‘the NPDS Act’).

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

3. The petitioner/A-1 is seeking bail on the ground of parity. The case of the prosecution is that this petitioner and 5 others were arrested on 18.04.2022 while they were found in possession of 62 packets of ganja and in all the contraband weighed 190 kgs. The investigation was

complete and charge sheet was filed against A-1 to A-7 and A-3 was shown as absconding..

4. Learned counsel for the petitioner would submit that this Court granted bail to A-2 by order dated 11.05.2023 in CrI.P.No.3911 of 2023, A-4 vide order dated 19.06.2023 in CrI.P.No.5021 of 2023, A-5 vide order dated 11.05.2023 in CrI.P.No.4642 of 2023, A-6 vide order dated 08.02.2023 in CrI.P.No.1018 of 2023 and A-7 vide order dated 23.03.2023 in CrI.P.No.2718 of 2023.

5. It is the case of the prosecution that all the accused were found in the same car. Since A-2, A-4 to A-7 were granted bail by this Court, this Court deems it appropriate to grant bail to this petitioner subject to the following conditions:

- i) The petitioner/Accused No.1 shall be enlarged on bail on his executing a personal bond for Rs.75,000/- (Rupees Seventy Five thousand only) with two sureties for a 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 petitioner/Accused No.1 should not involve in any unlawful activity.

(iii) The petitioner/Accused No.1 should not cause the evidence of the offence disappear.

(iv) The petitioner/Accused No.1 should not tamper with the evidence in any manner.

(v) The petitioner/Accused No.1 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.

(vi) In case the petitioner/accused No.1 holds a passport, he shall surrender the same if the same is not seized till now.

(vii) The petitioner/Accused No.1 should ensure his presence whenever required by the Court or Police.

(viii) The petitioner/Accused No.1 shall not leave India without previous permission of the court concerned.

(ix) The petitioner/Accused No.1 shall file an affidavit before the Court concerned disclosing the following particulars.

- (i) Contact number
- (ii) Mail address
- (iii) Residential particulars.

6. In case, there is any change in the aforementioned details, the petitioner shall intimate the Court concerned by giving a fresh affidavit duly mentioning the change.

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

8. Accordingly, this Criminal Petition is allowed. Miscellaneous applications, pending if any, shall stand closed.

K.SURENDER, J

Date: 01.08.2023
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THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO. 6771 OF 2023

Dt.01.08.2023

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