

THE HONOURABLE SRI JUSTICE K.SURENDER
CRIMINAL PETITION NOS.7668 & 7681 OF 2023

COMMON ORDER:

1. These Criminal Petitions are filed under Sections 437 and 439 of Code of Criminal Procedure, 1973 (for short "Cr.P.C") seeking regular bail to the petitioners/Accused Nos.1 and 2 in Crime No.167 of 2023, on the file of Thorrur Police Station, Mahabubabad, registered for the offence under Section 8(c) r/w. 20 (b) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the NPDS Act').
2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the respondent-State and perused the record.
3. The petitioners are A-1 and A-2. The Thorrur Police found these petitioners in possession of 3 kgs of ganja in all on 21.06.2023. Having conducted the proceedings in accordance with NDPS Act, the contraband was seized.

4. Learned counsel for the petitioners would submit that the quantity of the contraband seized is less than the commercial quantity. There are no criminal cases pending against these petitioners.

5. Learned Additional Public Prosecutor does not dispute the factum of any criminal cases pending against these petitioners under NDPS Act.

6. Since the quantum of contraband seized is less than the commercial quantity and petitioners are in jail since 21.06.2020, the petitioners can be granted the relief of regular bail, subject to following conditions:

i) The petitioners/Accused Nos.1 and 2 shall execute personal bond for a sum of Rs.50,000/- (Rupees Fifty thousand only) with two sureties for a like sum each to the satisfaction of Judicial First class Magistrate at Thorrur.

ii) The petitioners/Accused Nos.1 and 2 after release shall appear before the concerned Station House Officer everyday for a period of three weeks at 10.00 AM and thereafter as and when required, for the purpose of investigation.

iii) The petitioners/Accused Nos.1 and 2 shall abide by the other conditions stipulated in Section 437(3) of Cr.P.C.

7. Accordingly, these Criminal Petitions are allowed. Miscellaneous applications, pending if any, shall stand closed.

K.SURENDER, J

Date: 21.08.2023
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THE HON'BLE SRI JUSTICE K.SURENDER

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Dt.21.08.2023

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