

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION NO.8248 OF 2023****ORDER:**

1. 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.166 of 2023 on the file of Balanagar Police Station, Cyberabad, registered for the offence under Section 22 (c) and 27 of the 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 is seeking regular bail. The allegation against the petitioner is that he was found in the possession of 12 gms. of MDMA drug. The petitioner was remanded on 15.04.2023.

4. Since the record did not reveal the withdrawal of samples, this Court directed to submit a report regarding withdrawal of samples. The concerned Metropolitan Magistrate has filed a report dated 12.09.2023 stating that samples were drawn and sent to FSL on 12.09.2023 which was after this Court directed for the report. There is inordinate delay in sending the samples. For the said reason, the petitioner is entitled to be released on bail subject to following conditions:

- i) The petitioner/Accused No.1 shall execute personal bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) with two sureties, for a like sum each to the satisfaction of XIII Metropolitan Magistrate, Kukatpally, at Prashant Nagar, Cyberabad.
- ii) The petitioner/Accused No.1 after release shall appear before the concerned Station House Officer at 10:00 a.m. on every Monday for a period of eight weeks or till the charge sheet is filed, whichever is earlier, for the purpose of investigation.

iii) The petitioner/Accused No.1 shall abide by the other conditions stipulated under Section 437(3) of Cr.P.C.

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

K.SURENDER, J

Date: 13.09.2023
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Dt.13.09.2023

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