

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION NO.8635 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.401 of 2023 on the file of Balanagar Police Station, Cyberabad, registered for the offence under Section 8 (c) r/w. 18(a) 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 Police, Balanagar apprehended this petitioner and was found in possession of 100 gms of opium. According to the complaint, there was contraband of 500 gms of opium.
4. Learned counsel appearing for the petitioner would submit that 2.5 kgs. of opium amounts to commercial quantity and the petitioner has been falsely implicated.

5. Learned Additional Public Prosecutor on instructions would submit that there are no other cases pending against this petitioner.

6. Keeping in view that seized quantity of 500 gms of opium is less than the commercial quantity, this Court deems it appropriate to grant the relief of regular bail to the petitioner, 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 at Kukatpally, Cyberabad.
- ii) The petitioner/Accused No.1 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 petitioner/Accused No.1 shall abide by the other conditions stipulated under Section 437(3) of Cr.P.C.

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

Date: 25.09.2023
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K.SURENDER, J

THE HON'BLE SRI JUSTICE K.SURENDER

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Dt.25.09.2023

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