

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION NO.8482 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 in COR.No.101 of 2023 on the file of Khammam II Town Prohibition and Excise Station, Khammam, registered for the offence under Section 8(c) r/w. 20 (b) (ii) (8) 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 was apprehended by the officials of Prohibition and Excise, Khammam for being in possession of 10.325 kgs. of dry ganja. The petitioner was found along with the contraband near Ramesh Dhaba, Kodad ‘X’ road, Khammam. The procedure

prescribed under NDPS Act was followed and the petitioner was sent to judicial remand.

4. Learned counsel appearing for the petitioner would submit that the petitioner was falsely implicated and moreover alleged contraband seized is less than the commercial quantity.

5. On instructions, learned Additional Public Prosecutor would submit that there are no other criminal cases pending against this petitioner.

6. Keeping in view that the contraband seized 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 shall execute personal bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) with two sureties i.e., one local surety and other from the native place, for a like sum each to the satisfaction of Special Judicial Magistrate of First Class (For Proh. & Excise Cases) at Khammam.

ii) The petitioner/Accused after release shall appear before the concerned Station House Officer at 10:00 a.m. on every Monday for a period of four weeks and thereafter, as and when required for the purpose of investigation.

iii) The petitioner/Accused 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: 11.09.2023
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K.SURENDER, J

THE HON'BLE SRI JUSTICE K.SURENDER

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Dt.11.09.2023

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