

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION NO.8835 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.4 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 NDPS Act').
2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the respondent-State and perused the record.
3. The petitioner herein arrayed as A-4. The Thorrur Police found this petitioner in possession of 2 kgs of dry ganja on 21.06.2023. Having followed the procedure prescribed under NDPS Act, the contraband was seized.

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

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

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

i) The petitioner/Accused No.4 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 petitioner/Accused No.4 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.4 shall abide by the other conditions stipulated in Section 437(3) of Cr.P.C.

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

Date: 20.09.2023
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K.SURENDER, J

THE HON'BLE SRI JUSTICE K.SURENDER

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Dt.20.09.2023

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