

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION NO.9022 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.5 in F.I.R.No.575 of 2023 on the file of KPHB Colony Police Station, Cyberabad, registered for the offence under Section 8(c) r/w. 20 (b) (ii) (B) and Section 29 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 Detective Inspector of Police, KPHB Colony on information apprehended this petitioner and five others who are alleged to be drug peddlers, at Ramya Ground, 3rd phase, KPHB Colony. All these persons were taken into custody. Having followed the procedure prescribed under NDPS Act, the contraband, which is of 5 gms

Methylenedioxy Methamphetamine (MDMA) was seized from this petitioner. The Police found that they were drug peddlers who were selling the drug to various other customers. All the customers were also made accused in the present case.

4. Learned counsel appearing for the petitioner would submit that the petitioner is a Student and he has been falsely implicated in the present case while he was standing near the ground. There are no other antecedents of being involved in any criminal cases against this petitioner.

5. Learned Additional Public Prosecutor does not dispute the fact that this petitioner is not involved in any other cases. Further, he submits that the petitioner is a drug peddler and he is likely to repeat the offence if released on bail.

6. Keeping in view that the contraband seized is less than the commercial quantity, age of the petitioner is around 24 years and even according to the remand report

he is a student, this Court deems it appropriate to grant the relief of regular bail to this petitioner subject to following conditions:

- i) The petitioner/Accused No.5 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 IV Additional Junior Civil Judge-Cum- XV Additional Metropolitan Magistrate, at Kukatpally, Cyberabad.
- ii) The petitioner/Accused No.5 after release shall appear before the concerned Station House Officer at 10:00 a.m. on every Monday and Wednesday for a period of eight weeks and thereafter, as and when required for the purpose of investigation.
- iii) The petitioner/Accused No.5 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.

K.SURENDER, J

Date: 22.09.2023
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THE HON'BLE SRI JUSTICE K.SURENDER

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Dt.22.09.2023

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