

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION NOS.10667 & 10668 OF 2023****COMMON ORDER:**

1. These Criminal Petitions are filed under Sections 437 and 439 of Code of Criminal Procedure, 1973 (for short "Cr.P.C") seeking regular bail to the petitioners/Accused Nos.3, 4 and 5 respectively in Crime.No.791 of 2023 on the file of Chanda Nagar Police Station, Cyberabad, registered for the offences under Section 8(c) r/w. 22(c) and 27 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the NPDS Act').

2. Since the petitioners in both the petitions are accused Nos.3, 4 and 5 respectively, in the very same crime, both the petitions are heard together and disposed off by this common order.

3. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the respondent-State and perused the record.

4. The Chandanagar, Sub-Inspector of Police apprehended five accused. The petitioners herein are arrayed as A-3, A-4 and A-5. It is stated in the remand report that 5gms of MDMA drug was seized from A-3, 1.5 gms from A-4 and 1.5 gms from A-5.

5. Learned counsel for the petitioners would submit that the petitioners are students and there are no other cases pending against these petitioners. The contraband seized from these petitioners is less than the commercial quantity.

6. On the other hand, learned Assistant Public Prosecutor would submit that the Police need time to investigate and the petitions have to be dismissed at this juncture. However, he does not dispute that there are no other cases pending against these petitioners.

7. Keeping in view that the contraband seized is less than the commercial quantity and the petitioners being the students, they can be granted the relief of regular bail on the following stringent conditions:-

- i) The petitioners/Accused Nos.3 to 5 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 IX Additional Metropolitan Magistrate at Kukatpally, R.R.District.

ii) The petitioners/Accused Nos.3 to 5 after release shall appear before the concerned Station House Officer at 10:00 a.m. everyday for a period of three weeks and thereafter, as and when required for the purpose of investigation.

iii) The petitioners/Accused Nos.3 to 5 shall abide by the other conditions stipulated under Section 437(3) of Cr.P.C.

8. Accordingly, these Criminal Petitions are allowed. Miscellaneous applications, pending if any, shall stand closed.

Date: 02.11.2023
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K.SURENDER, J

THE HON'BLE SRI JUSTICE K.SURENDER

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Dt.02.11.2023

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