

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.11289 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.3 in Crime No.54 of 2023 dated 10.09.2023, on the file of P.S., Mokila, Cyberabad, registered for the offences punishable under Sections 21(c), 22(c) and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985.
2. Heard learned senior counsel appearing for the petitioner and learned Additional Public Prosecutor for the respondent-State and perused the record.
3. The Mokila Police apprehended this petitioner and arrayed him as accused No.3 for being involved in the said crime. He was found in possession of (8) cocaine cubes weighing 8.72 grams and (2) MDMA pills weighing 0.96 grams.
4. Learned senior counsel for the petitioner would submit that the quantity of material seized is intermediate quantity

and further there is a violation of the judgment of the Hon'ble Supreme Court in ***Union of India v. Mohan Lal and another***¹. Sampling and inventory was done on 04.11.2023 with a delay of (55) days. The said delay is not disputed by the learned Additional Public Prosecutor.

5. Since the quantity seized is intermediate quantity and also there is violation of the directions of the Hon'ble Supreme Court in ***Mohan Lal's Case (Supra)***, the prayer for regular bail is considered, subject to the following conditions:

- i) The petitioner/Accused No.3 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 the Metropolitan Sessions Judge, Cyberbad, Ranga Reddy District at L.B.Nagar.
- ii) The petitioner/Accused No.3 after release shall appear before the concerned Station House Officer on every Monday for a period of eight (08) weeks and thereafter, as and when required, for the purpose of investigation.
- iii) The petitioner/Accused No.3 shall abide by the other conditions stipulated in Section 437(3) of Cr.P.C.

¹ (2016) 3 SCC 379

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

Date : 18.11.2023
gvl

K.SURENDER, J

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CRIMINAL PETITION No.11289 of 2023
Dt.18.11.2023