

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION NO.11770 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.1 in Crime No.50 of 2023, on the file of the Excise Station, Ameerpet, Hyderabad, registered for the offence punishable under Section 8(c) r/w. 21 (b) 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 case against the petitioner is that the Personnel, Excise Station, Ameerpet apprehended this petitioner for being in possession of 10 gms of MDMA (Methylenedioxy Methamphetamine) drug. He was remanded to judicial custody on 16.09.2023.

4. Learned counsel appearing for the petitioner would submit that 'Methylenedioxy Methamphetamine' shown at Sl.No.159 in the table of Narcotic Drugs, the commercial quantity is 50 gms. However 'Zmethoxy Alpha Ecstasy' which comes at Sl.No.138, the commercial quantity is 10 gms.

5. Since it is specifically mentioned in the remand report that it is 'Methamphetamine', which is at Sl.No.159 of Narcotic Drugs table, the quantity is intermediary quantity and no other cases pending against this petitioner, the relief of regular bail can be granted, subject to following conditions:

- i) The petitioner/accused No.1 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 II Additional Metropolitan Sessions Judge, Hyderabad.
- ii) The petitioner/accused No.1 after release shall appear before the concerned Station House Officer at 10:00 a.m. on every Monday for a period of eight weeks and thereafter, as and when required for the purpose of investigation.

iii) The petitioner/accused No.1 shall abide by the other conditions stipulated in Section 437(3) of Cr.P.C.

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

Date: 05.12.2023
dv

K.SURENDER, J

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO.11770 OF 2023

Dt.05.12.2023

dv