

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION NO.12765 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 petitioners/accused Nos.13 & 14 in Crime No.497 of 2023, on the file of Afzalgunj Police Station, Hyderabad, registered for the offences punishable under Sections 8 (c) r/w 22 (c) & 29 of NDPS Act, 1985.
2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the respondent-State and perused the record.
3. According to the case of Afzalgunj Police, they have apprehended A-1 who is a drug peddler. He was found in possession of Nitrazepam tablets which contains Nitrazepam psychotropic drug and Codeine phosphate (S cough and other Syrup) was also seized. During the course of investigation, it has come to the knowledge of the Investigating Officer that the 1st petitioner who is the

mother and the 2nd petitioner who is the wife of A-1 were also involved in illegal business of A-1. The money used to be transferred to google pay phone numbers of these petitioners who inturn used to supply tablets.

4. Learned counsel for the petitioners would submit that A-3 was already granted bail by this Court. Further except alleged confession of co-accused, nothing was seized from these petitioners. They are women and there are no other cases pending against them.

5. On the other hand, learned Additional Public Prosecutor opposed the bail application on the ground that these petitioners were also involved in the process of procuring and selling Nitrovet tablets. He further submits that under Section 29 of NDPS Act, abetment also makes these petitioners as willful offenders.

6. Keeping in view that both these petitioners are women and except stating that on behalf of A-1, petitioners have received amount in their google pay accounts, nothing was seized from these petitioners, the

relief of regular bail can be considered, subject to following conditions:

i) The petitioners/accused Nos.13 & 14 shall execute personal bond for a sum of Rs.50,000/- (Rupees Fifty thousand only) with two sureties, i.e., one local surety and the other from the native place, for a like sum each to the satisfaction of II Additional Chief Metropolitan Magistrate, Hyderabad.

ii) The petitioners/accused Nos.13 & 14 after release shall appear before the concerned Station House Officer at 10:00 a.m. on every Monday for a period of four weeks and thereafter, as and when required for the purpose of investigation.

iii) The petitioners/accused Nos.13 & 14 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.

K.SURENDER, J

Date: 29.12.2023
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Dt.29.12.2023

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