

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.391 OF 2024

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.8 in SC(NDPS).No.18 of 2022 on the file of Gudur Police Station, Mahabubabad District, registered for the offences under Section 8 (c) r/w. 20 (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 petitioner is facing prosecution for the offence under NDPS Act. He was absent on 12.12.2023 and no petition was filed on his behalf by the counsel on record, for which reason, the Court below issued non-bailable warrants. Thereafter, he was arrested and sent to judicial custody on 26.12.2023.
4. Learned counsel appearing for the petitioner would submit that on account of ill health of daughter of the petitioner, the petitioner could not appear before the Court below on the said date. Learned counsel on record also could not appear though

informed. He further submits that the case is of the year, 2020 and he has been appearing regularly, both before the Police and also before the Court.

5. Keeping in view that the petitioner was already granted bail and according to the counsel, the non-appearance of the petitioner is a solitary instance, this Court deems it appropriate to grant the relief of regular bail, subject to following conditions:-

i) The petitioner/Accused No.8 shall execute personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with one surety, for a like sum each to the satisfaction of the Principal District and Sessions Judge, Mahabubabad.

ii) The petitioner/Accused No.8 after release shall appear before concerned Court on every date of hearing.

iii) The petitioner/Accused No.8 shall abide by the other conditions stipulated under Section 437(3) of Cr.P.C.

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

K.SURENDER, J

Date : 11.01.2024
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Dt.11.01.2024

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