

THE HON'BLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.1211 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 in Crime.No.136 of 2023 on the file of RPS Police Station, Hyderabad, registered for the offence under Section 8 (c) r/w.20 (b) (ii) (C) 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 of prosecution is that this petitioner while travelling in Konark Express train was alleged to have been in possession of kg.50.170 gms. of ganja. He was taken into custody and having followed the procedure under NDPS Act, he was produced before the concerned Magistrate.
4. Learned counsel appearing for the petitioner would submit that though arrest was effected on 18.08.2023, the Police approached the Court on 20.11.2023 for the purpose of

sampling and acknowledgement of inventory. There is inordinate delay in procedure being followed under Section 52-A of NDPS Act amounting to violation.

5. In the said circumstances, the relief of regular bail can be considered, subject to following conditions:-

i) The petitioner/Accused 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 the I Additional Metropolitan Sessions Judge, Hyderabad.

ii) The petitioner/Accused after release shall appear before the concerned Station House Officer on every Monday at 10:00 a.m. for a period of eight weeks or until filing of charge sheet, whichever is earlier, for the purpose of investigation.

iii) The petitioner/Accused 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 : 02.02.2024
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Dt.02.02.2024

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