

THE HONOURABLE DR.JUSTICE G.RADHA RANI

CRIMINAL PETITION No.3590 OF 2024

ORDER:

This Criminal Petition is filed by the petitioner – Accused No.1 under Sections 437 and 439 of Code of Criminal Procedure, 1973 (for short “Cr.P.C”), to release him on regular bail in connection with Crime No.1083 of 2023 on the file of Rajendranagar Police Station, Cyberabad, registered for the offences punishable under Section 20(b)(ii)(c) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short ‘NDPS Act’).

2. The case of the prosecution in brief was that on 29.10.2023 at 14:30 hrs, the Detective Inspector of Police of Rajendranagar Police Station lodged a report stating that on credible information about transportation of contraband ganja, he proceeded to ORR Exit No.17, Himayathsagar, Rajendranagar and at about 6:00 hours noticed a White Maruthi Ertiga Car of Odisha Registration Number coming from Chowdamma Temple, Kothwalguda side proceeding towards Rajendranagar and stopped the car. He found three male persons, one female person and two minor girls as occupants of the car. On enquiry, they disclosed their details. While

checking the car they found 35.220 Kgs of dry ganja in the car dickey. As such, seized the contraband along with car and net cash of Rs.6,000/-, four smart phones and one keypad of Nokia Cell Phone from their possession under the cover of confession-cum-seizure panchanama and brought the accused persons along with seized contraband to the police station and lodged the report.

3. Basing on the said report, the above crime was registered. The petitioner/accused No.1 along with accused Nos.2 to 4 were arrested on 29.10.2023 and the two minor children were handed over to their family members.

4. Heard the learned counsel for the petitioner-Accused No.1 and the learned Assistant Public Prosecutor for the respondent-State.

5 Learned counsel for the petitioner submitted that the father and sister of the petitioner met with an accident and they sustained severe injuries in the said accident. The investigation was completed in this case and charge sheet was also filed. The accused No.4 was also released on bail on 13.03.2024 and prayed to enlarge the petitioner on bail.

6. Learned Assistant Public Prosecutor also reported that charge sheet was filed but Calendar Case number (for short 'C.C.No') is still awaited.

7. Perused the record.

8. Considering the submissions of the learned counsel for the petitioner and the learned Assistant Public Prosecutor as conducting trial may take some more time but as the investigation is completed and charge sheet also filed, it is considered fit to enlarge the petitioner/accused No.1 on bail.

9. Accordingly, the Criminal Petition is allowed and the petitioner – accused No.1 shall be released on regular bail subject to the following conditions:

- i) The petitioner – accused No.1 shall execute a 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 learned XI Additional Metropolitan Magistrate, Cyberabad at Rajendranagar.
- ii) The petitioner – accused No.1 shall abide by the conditions stipulated in Section 437(3) of Cr.P.C.

- iii) The petitioner shall appear before the Court for trial without seeking any exemption.

Miscellaneous applications, pending if any, shall stand closed.

Date:10.04.2024
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Dr. G.RADHA RANI, J