

THE HON'BLE Dr. JUSTICE G. RADHA RANI

CRIMINAL PETITION No.3633 of 2024

ORDER:

This Criminal Petition is filed by the petitioner/A1 under Sections 437 and 439 of Cr.P.C. for grant of regular bail in Crime No.322 of 2023 of P.S. Madhura Nagar, Hyderabad, registered for the offences under Sections 8(c) read with 22(b)(ii)(C) and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

2. The case of the prosecution, in brief, was that on 16.11.2023 at 01.30 hours, the SI of police of P.S. Madhura Nagar on credible information, about illegal sale of ganja chocolates prepared by mixing hash oil and the said person was available on road near Janakamma Thota, Yousufguda, Hyderabad, believing the same to be true, he informed the same to his superior officer as required under Section 42(2) of the NDPS Act and proceeded to the said place along with his staff and panch witnesses. He found the accused along with a Super Splender vehicle bearing No.TS12 EV 0670 and seized 30 Kgs. of ganja chocolates (150 packets), each containing 40 chocolates, each packet weighing 200 gms., under the cover of seizure panchanama and brought the accused to the P.S. along with the seized contraband and registered the above case. On enquiry, the accused stated that

he ordered online from a person by name, Bipin, who belonged to Uttar Pradesh and the said contraband was delivered to him from Lucknow.

3. Heard the learned counsel for petitioner/A1 and the learned Additional Public Prosecutor representing the respondent-State.

4. Learned counsel for the petitioner/A1 submitted that the entire investigation was completed and charge sheet was also filed. The petitioner was the only bread winner of his family, having two children and prayed to enlarge the petitioner/A2 on bail.

5. Learned Additional Public Prosecutor stated that no criminal antecedents were reported against the petitioner, but he was found with commercial quantity of contraband of about 30 Kgs. and opposed grant of bail to the petitioner/A1.

6. Perused the record.

7. Considering that the petitioner was in custody since 17.11.2023 and that the entire investigation was completed and no criminal antecedents were reported against the petitioner, it is considered fit to enlarge the petitioner/A1 on bail with certain conditions.

8. Accordingly, the Criminal Petition is allowed and the petitioner/A1 shall be released on bail subject to the following conditions:

- 1) The petitioner/A1 shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties for a like sum each to the satisfaction of the learned II Additional Metropolitan Sessions Judge, Hyderabad.
- 2) The petitioner/A1 shall not involve in any other cases, during the pendency of the trial, If any, adverse reports are received against him, the bail granted is liable to be cancelled.
- 3) The petitioner/A1 shall appear before the trial court, as and when the matter is posted and shall abide by the conditions stipulated under Section 437(3) of Cr.P.C.

Miscellaneous petitions pending, if any, shall stand closed.

Date: 24.04.2024

ss

Dr. G. RADHA RANI, J