

THE HONONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.4405 of 2024

ORDER:

This Criminal Petition is filed under Sections 437 and 439 of Code of Criminal Procedure, 1973 (for short, 'the Cr.P.C.') seeking regular bail to the petitioner/accused No.6 in Crime No.631 of 2023 on the file of the P.S. Kukatpally registered for the offence punishable under Section 20(b)(ii)(C) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'NDPS Act').

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the respondent State.

3. Learned counsel for the petitioner submits that the petitioner was implicated in the above said crime basing upon the confessional statements of accused Nos.1 to 5 and entire investigation was completed and charge sheet was also filed and the same was numbered as S.C (NDPS).No.28 of 2024 on the file of the Metropolitan Sessions Judge, Medchal-Malkajgiri District at Kushaiguda. He further submits that accused No.1 approached this Court and filed CrI.P.No.4096 of 2024 for grant of regular bail and the same was allowed on 23.04.2024. Hence, the petitioner's case may be considered for grant of bail.

4. On the other hand, learned Additional Public Prosecutor submits that the petitioner is not entitled for grant of regular bail on the ground that the accused persons were carrying the ganja more than commercial quantity.

5. I have considered the rival submissions made by the respective parties and perused the records.

6. The petitioner was arrested on 02.11.2023 and since then he was in judicial custody. The Investigating Officer after completing the investigation filed the charge sheet and the same was numbered as S.C. (NDPS) 28 of 2024 on the file of the Metropolitan Sessions Judge, Medchal-Malkajgiri District at Kushaiguda and this Court granted bail to accused No.1 in CrI.P.No.4096 of 2024 dated 23.04.2024. In these circumstances, this Court is inclined to grant regular bail in favour of the petitioner.

7. Accordingly, the Criminal Petition is allowed and the petitioner/accused No.6 shall be released on regular bail subject to the following conditions:

- i) The petitioner shall execute a personal bond for a sum of Rs.1,00,000/- (Rupees one lakh only) with two sureties for a like sum each to the satisfaction of learned XII Additional Metropolitan Magistrate at Kukatpally, Cyberabad.

ii) The petitioner shall appear before the trial Court as and when his presence is required by the trial Court.

iii) The petitioner shall abide by the conditions stipulated in Section 437(3) of Cr.P.C.

Miscellaneous applications, pending if any, shall stand closed.

J. SREENIVAS RAO, J

Date: 29.04.2024

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