

THE HONOURABLE SRI JUSTICE N. TUKARAMJI**CRIMINAL PETITION No.5617 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.4 in Crime.No.64 of 2024 on the file of Shankarpally Police Station, registered for the offences under Section 8 (C) r/w 20(b)(ii)(C) of NDPS Act-1985.
2. I have heard Sri Chandrashekhar Yadav, learned counsel for the petitioner and learned Additional Public Prosecutor for the respondent-State and perused the record.
3. Learned counsel for the petitioner submits that as per the prosecution on 04.02.2024, the petitioner was found along with her husband/accused No.3 in possession of dry ganja of 8kgs which is less than commercial quantity. Further, pleads that the investigation is completed and charge sheet has been filed. On the other hand, the petitioner is aged about 55 years and she is ready to cooperate and appear in judicial process and abide by any condition. Thus prayed for grant of bail.

4. Learned Additional Public Prosecutor would submit that the charge sheet has been filed on 08.04.2024 and the matter is pending before the Special Court for numbering. Further, the petitioner is a resident of Maharashtra State and if she is released, securing her presence for the judicial process would be difficult. Hence, prayed for dismissal of the petition.

5. I have considered the submissions of learned counsel and perused the materials placed on record.

6. Having regard to the fact that the contraband seized from the possession of the petitioner is of intermediary quantity, investigation has been completed and the petitioner is in custody since 04.02.2024, this Court is inclined to grant her bail, however, with certain conditions to meet the apprehension of the prosecution.

7. Accordingly, the petitioner/accused No.4 is directed to be released on bail on executing a self bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) with two sureties (One surety shall be from her native place/regular place of residence and another surety should be from the

jurisdiction of the trial Court), for a like sum each to the satisfaction of Metropolitan Sessions Judge, Rangareddy District, L.B.Nagar. The petitioner/accused No.4, shall make herself available for the judicial process. The petitioner/accused No.4 shall not interfere or intimidate the prosecution witnesses nor shall attempt to tamper with the accused. The petitioner shall not commit any offence while on bail. If the petitioner/accused No.4 commits any breach of the above conditions, the bail granted is liable to be cancelled at the instance of the Investigating Agency/prosecution. Additionally, the petitioner/Accused No.4 shall abide by the other conditions stipulated under Section 437(3) of Cr.P.C.

8. Accordingly, this Criminal Petition is allowed. Miscellaneous applications, pending if any, shall stand closed.

N.TUKARAMJI, J

Date : 04.06.2024
mmr/gvl

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Dt.04.06.2024

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