

THE HONOURABLE SRI JUSTICE N. TUKARAMJI

CRIMINAL PETITION No.5800 of 2024

ORDER:

This petition is filed under Sections 437 and 439 of the Code of Criminal Procedure, 1973 (Cr.P.C.) seeking grant of regular bail.

2. The petitioner is accused No.9 in Crime No.68 of 2024 on the file of Dhanthalpally Police Station, Mahabubabad District, within the territorial jurisdiction of the Special Sessions Judge for trial of cases under NDPS Act-cum-Principal Sessions Judge, Mahabubabad, for the offence under Section 8(c) r/w 20(b) (ii) (b) of Narcotic Drugs and Psychotropic Substances Act, 1985.

3. I have heard Ms. Ravula Sowmya Reddy, learned counsel for the petitioner and Sri S. Sudarshan, learned Additional Public Prosecutor for the Respondent - State.

4. The prosecution case in brief is that on 30.04.2024, the complainant and his team seized

4.420kgs of ganja from the possession of accused Nos.1 to 4 and the accused No.1 in his statement has revealed that contraband has to be handed over to the other accused/accused Nos.5 to 9, who includes the petitioner.

5. Learned counsel for the petitioner submits that no contraband has been seized from the possession of the petitioner and in all the quantum of contraband involved is of intermediary. The petitioner is in judicial custody since 01.05.2024. Further, there is no specific accusation or statement against the petitioner as to his role in the offence. The petitioner is ready to furnish suitable security and cooperate with the investigation and judicial process. Hence, prayed for grant of bail.

6. Learned Additional Public Prosecutor opposed bail petition and submits that the investigation is still pending and other accused/A5 and A10 were still absconding.

7. I have perused the materials on record.

8. The allegation against the petitioner is that the accused Nos.1 to 4 would handover the seized contraband to the other accused and the petitioner is one among them. Having regard to the, accusation against the petitioner, quantum involved and the stage of investigation, this Court is inclined to grant bail to the petitioner.

9. Accordingly, the present Criminal Petition is allowed on the following conditions:

- i) The petitioner/accused No.9 shall be released on bail on executing a self-bond for Rs.25,000/- (Rupees twenty five thousand only) with two sureties for a like sum each to the satisfaction of the Special Sessions Judge for trial of cases under NDPS Act-cum-Principal Sessions Judge, Mahabubabad.
- ii) The petitioner shall communicate his residential address and contact numbers to the concerned Court and also Station House Officer and changes if any from time to time, till conclusion of the case.

- iii) The petitioner shall appear before the Station House Officer on every Tuesday and Friday till filing of charge sheet and he petitioner shall make himself available for interrogation and the judicial process as and when required, except for leave of the Court.
- iv) The petitioner shall not influence or intimidate any witnesses or tamper with the evidence of the prosecution.
- v) The petitioner shall not indulge in any illegal activity.
- vi) In case the petitioner commit breach of any of the above conditions, the bail is liable to be cancelled at the instance of the prosecution.

As a sequel, miscellaneous petitions, if any, pending in this criminal petition shall stand closed.

N. TUKARAMJI, J

Date: 10.06.2024

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