

THE HONOURABLE SRI JUSTICE N. TUKARAMJI

CRIMINAL PETITION No.6370 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.1 in Crime.No.72 of 2024 on the file of the Kethepally Police Station, Nalgonda District, within the jurisdiction of Judicial Magistrate of First Class, Nakrekal.

2. I have heard Sri Venkat Reddy Kodumury, learned counsel for the petitioner and learned Assistant Public Prosecutor for the respondent-State and perused the record.

3. The prosecution in brief is that on 27.04.2024, while the petitioner along with two others were moving on suspiciously with bags, was apprehended and on search, found with (02) ganja bags packets weighing (05) kgs each. The search of other two also led to discovery of

contraband. In all 24 kgs of ganja was found in the possession of the three accused. Thus, the petitioner committed offences under Sections 8 (C) r/w 20 (b) (ii) (C), 29 of Narcotic Drugs and Psychotropic Substances Act, 1985.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. Further, submits that the petitioner is pregnant women of six (06) months. That apart, even as per the prosecution case, the petitioner was found in possession of intermediary quantity and in judicial custody since 27.04.2024. As the investigation is completed and the petitioner is ready to cooperate with the investigation and judicial process, prayed for grant to bail.

5. Learned Assistant Public Prosecutor opposed bail application and pleaded that the petitioner was found in possession of intermediary quantity. Further, five witnesses were examined so far and the investigation is still pending.

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

7. Having regard to the fact that the contraband seized from the possession of the petitioner is of intermediary quantity, the period undergone in the judicial custody and the stage of investigation reported by the prosecution, this Court is inclined to grant her bail, however, with certain conditions to meet the apprehension of the prosecution.

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

- i) The petitioner/accused No.1 shall 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 the Judicial Magistrate of First Class, Nakrekal.
- ii) The petitioner/accused No.1, shall make herself available for the judicial process.

- iii) The petitioner/ accused No.1 shall not interfere or intimidate the prosecution witnesses nor shall attempt to tamper with the accused.
- iv) The petitioner shall not commit any offence while on bail. If the petitioner/accused No.1 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.1 shall abide by the other conditions stipulated under Section 437(3) of Cr.P.C.

Miscellaneous applications, pending if any, shall stand closed.

N.TUKARAMJI, J

Date : 24.06.2024
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CRIMINAL PETITION No.6370 of 2024
Dt.24.06.2024

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