

THE HONOURABLE SRI JUSTICE N. TUKARAMJI

CRIMINAL PETITION No.6420 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.3 in Crime No.68 of 2024 on the file of the Danthalapally Police Station, Mahabubabad District, within the jurisdiction of Special Sessions Judge for Trial of Cases for the offences under Narcotic Drugs and Psychotropic Substances Act, 1985-cum-Principal Sessions Judge, at Mahabubabad.

2. I have heard Sri R.Sowmya Reddy, learned counsel representing Sri P.Keshava Reddy, learned counsel for the petitioner and learned Assistant Public Prosecutor for the respondent-State and perused the record.

3. The case of the prosecution in brief is that on 30.04.2024 the complainant and his team has seized

4.420 kgs of ganja from the possession of petitioner/accused No.3 and other accused under the confession and seizure panchanama in presence of mediators. Thus, committed offence under Section 8 (C) r/w 20 (b) (ii) (B) of Narcotic Drugs and Psychotropic Substances Act, 1985.

4. Learned counsel for the petitioner submits that the petitioner is innocent and no way involved in the offence and he was just accompany his friend. Further, submits that the petitioner is in judicial custody since 01.05.2024, and the investigation is completed. In addition, that the other accused were enlarged on bail by this Court and the petitioner is ready to abide by any conditions that may be imposed, hence prayed for grant of bail.

5. Learned Assistant Public Prosecutor opposed bail application and submits that the contraband found from the possession of the petitioner is of intermediary quantity and so far nine (09) witnesses were examined.

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

7. As per the record, the petitioner along with others was found with intermediary quantity of ganja. Having regard to the period of judicial remand and the stage of investigation reported by the prosecution, this Court finds that prayer of the petitioner for grant of bail deserves acceptance.

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

- i) The petitioner/accused No.3 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, for a like sum each to the satisfaction of the Metropolitan Sessions Judge, Hyderabad.
- ii) The petitioner is directed to make himself available for interrogation as and when required by the Police.

- iii) The petitioner shall not interfere or intimidate the prosecution witnesses nor shall attempt to tamper with the evidence.
- iv) The petitioner shall inform his residence and contact particulars to the investigating officer in an affidavit and update the same from time to time till conclusion of the criminal case.
- v) The petitioner shall not indulge in any illegal activity.
- vi) If the petitioner commits any breach of the above conditions, the investigating agency/prosecution shall be at liberty to initiate proceedings for cancellation of bail.

Miscellaneous applications, pending if any, shall stand closed.

N.TUKARAMJI, J

Date: 24.06.2024
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Dt.24.06.2024

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