

HON'BLE SMT. JUSTICE JUVVADI SRIDEVI

CRIMINAL PETITION No.6438 of 2024

ORDER :

Petitioner/accused No.6 has filed this petition seeking anticipatory bail under Section 438 of Cr.P.C. in Cr.No.15 of 2024 of P.S. Vemulawada Rural, registered for the offences under Sections 8(c) r/w. 20 (b) (ii) (A) of NDPS Act.

2. Heard Sri. Y.Bala Murali, learned counsel for petitioner and the learned Additional Public Prosecutor appearing for the State.

3. Case of the prosecution is that the petitioner herein has supplied 150 gms. of ganja to accused No.3.

4. Learned counsel for the petitioner submits that petitioner herein was arrested merely basing on the confession of accused No.3 in the case and that he is not at all concerned with the alleged offences. It is contended that he is ready to co-operate with the Police in investigating the case and that he will comply with the conditions that may be imposed by this Court in the event of his release.

5. The learned Additional Public Prosecutor opposed the application stating that investigation is in progress and charge sheet is yet to be filed in this case, and hence, the petitioner cannot be granted bail at this stage.

6. Having heard both sides and perused the material on record, since the petitioner is arrested merely basing on the confession of accused No.3 in the crime and considering that the contraband seized from accused No.3 is a small quantity, this Court is of the considered view that it is a fit case for grant of bail, however, subject to the following conditions:

- i. The petitioner shall surrender before the Station House Officer of Vemulawada Rural Police Station, within two weeks from today, and on such surrender, the said Station House Officer shall release the petitioner on bail on executing a personal bond for Rs.20,000/- with two sureties, for the like sum each.**
- ii. The petitioner shall appear before the concerned Station House Officer on every Sunday between 10.00 AM and 05.00 PM for a period of eight weeks or till filing of charge sheet, whichever is earlier.**
- iii. The petitioner shall abide by the other conditions stipulated in Section 438(2) Cr.P.C and co-operate with the Investigating Officer in investigating the case.**

Petition is accordingly allowed.

JUVVADI SRIDEVI, J

Date: 15.07.2024
Lk/rev