

THE HONOURABLE SRI JUSTICE N. TUKARAMJI

CRIMINAL PETITION No.6782 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 sole accused in COR No.296 of 2011 on the file of Prohibition and Excise Station, Narayankhed, Sangareddy District within the territorial jurisdiction of I Additional District and Sessions Judge, Sangareddy.

3. I have heard Sri Palle Sriharinath, learned counsel for the petitioner and Sri Khaja Vizarath Ali, learned Assistant Public Prosecutor for the Respondent - State.

4. The prosecution case in brief is that, on 18.11.2011, the complainant/ Prohibition and Excise Inspector and his team surprised the land of the petitioner, on the information about illegal cultivation of dry ganja and found 68,043 ganja plants in Ac.0.30 guntas in Survey No.31/E of Mallapur village, Kalher Mandal, Sangareddy District. Thus, the petitioner committed offences under Sections

8(b), read with 20 (a)(i) of Narcotic Drugs and Psychotropic Substances Act, 1985.

5. Learned counsel for the petitioner would submit that the petitioner is innocent and has been falsely implicated in the crime. However, even after 13 years, though the prosecution did not move further, the petitioner surrendered himself before the Court on 25.05.2024, since then he is in judicial custody. The petitioner is ready to cooperate with the investigation and abide by the conditions that may be imposed. Thus, prayed for grant of bail.

6. Learned Assistant Public Prosecutor opposed the bail application. However admitted that the crime was in dormant stage since 2011 and the investigation is completed.

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

8. Having regard to the fact that the crime is of the year 2011 and no action has been taken so far, but the

petitioner surrendered himself and as the investigation is completed, this Court finds that prayer of the petitioner for grant of regular bail can be accepted.

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

- i) The petitioner/accused shall be released on bail, subject to his executing a personal bond for Rs.25,000/- (Rupees Twenty Five thousand only) with two sureties for a like sum each to the satisfaction of the I Additional District and Sessions Judge, Sangareddy.
- ii) The petitioner/accused shall communicate his residential address and contact numbers to the Investigating Officer in an affidavit and changes if any from time to time, till conclusion of the case.
- iii) The petitioner/accused shall make himself available for the judicial process, except for the leave of the Court.
- iv) The petitioner/accused shall not influence or intimidate any witnesses or tamper with the evidence of the prosecution.

- v) The petitioner/accused shall not indulge in any illegal activity of offence.
- vi) In case the petitioner/accused commits breach of any of the above conditions, this 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.

JUSTICE N. TUKARAMJI

Date: 01.07.2024

Pld