

THE HONOURABLE SRI JUSTICE N. TUKARAMJI

CRIMINAL PETITION NO.6822 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.

2. The petitioner is accused No.6 in Crime No.62 of 2024 of Rajendranagar Police Station, Cyberabad Commissionerate District, within the territorial jurisdiction of the XI Additional Metropolitan Magistrate, Cyberabad at Rajendranagar, Ranga Reddy District, at Rajendranagar.

3. I have heard Sri Mohd. Azhar, learned counsel representing Sri Mohd Habeeb, learned counsel for the petitioner and learned Assistant Public Prosecutor for the respondent-State and perused the record.

4. The allegation against the petitioner is that he is sales executive of the hospital and in conspiracy with

the other accused by forging signature of visiting Oncologist of the hospital, cleared the transaction. Thus, the petitioner committed offences punishable under Sections 8 (C) R/w 21 (C), 22 (C), 27 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

5. Learned counsel for the petitioner submits that he is only employees of the hospital and he was falsely implicated in the case and no drug was seized from his possession. Further, pleaded that he stands in the same footing of the other executive/accused No.7, who has been granted bail by this Court in CrI.P.No.6379 of 2024. He asserts that, though the allegation of forgery is made against the petitioner, the fact was not collared by examining doctor. Further, the petitioner is in judicial custody since 20.01.2024 and no investigation is pending against him. All other accused except accused No.1, who is absconding, were granted bail. The petitioner is ready to assist the investigation and

abide by any condition that may be imposed. Hence, prayed for grant of bail.

6. Learned Assistant Public Prosecutor opposed bail application and would submit that there is specific allegation against the petitioner that he had forged the signature and by using stamp of the visiting doctor/Oncologist of the hospital, cleared the transactions of the disputed injections. However, submits that nine (09) witnesses were examined.

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

8. The allegation against the petitioner is that he had cleared the transaction of supply of the drug by forging the signature and rubber stamp of the doctor. Even, as per the prosecution, no contraband has been seized and he is in judicial custody since 20.01.2024. Considering these aspects and the stage of

investigation reported by the prosecution, the prayer of the petitioner for grant of bail is found acceptable.

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

- i) The petitioner/accused No.6 shall be released on bail, on executing a self bond for a sum of Rs.1,00,000/- (Rupees One Lakh only) with two sureties, for a like sum each to the satisfaction of the XI Additional Metropolitan Magistrate, Cyberabad, Ranga Reddy District at Rajendranagar.
- ii) Further, the petitioner/Accused is directed to make himself available for the judicial process on every adjournment, except for the leave of the Court.
- 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. 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: 01.07.2024

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Dt.01.07.2024

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