

HON'BLE SMT. JUSTICE JUVVADI SRIDEVI

CRIMINAL PETITION No.7354 of 2024

ORDER :

Petitioners/accused Nos.3 to 5 have filed this petition under Sections 437 and 439 of Cr.P.C. seeking bail in Cr.No.366 of 2023 of P.S. Pocharam IT Corridor, registered for the offences under Sections 8(c) r/w. 20(b)(ii)(C) of NDPS Act, 1985.

2. Heard Sri Medisi Ratna Rao, learned counsel for petitioners and the learned Additional Public Prosecutor appearing for the State.

3. Case of the prosecution is that on the instructions of accused No.2, the petitioners/accused Nos.3 to 5 were found transporting 60 kgs. of ganja from Odisha to Hyderabad.

4. Learned counsel for petitioners submits that the petitioners herein are innocent and falsely implicated in the case. He further submits that the petitioners are not having any criminal antecedents, they are in jail since 16.11.2023, and the entire investigation in the case is completed, and hence, prayed for grant of bail

5. The learned Additional Public Prosecutor, on the other hand, opposed the application contending that the petitioners may commit

similar type of offences, if they are released on bail, hence, prayed to dismiss the petition.

6. Having heard both sides and perused the material on record, since no criminal antecedents were reported against the petitioners, considering that the petitioners are in jail since 16.11.2023, and further, as the investigation is completed and charge is already filed, this Court is of the considered view that it is a fit case for grant of bail subject to following conditions:

- (i) **The petitioners shall be released on bail on each of them executing a personal bond for Rs.20,000/- with two sureties (one native surety and one local surety) for the like sum each to the satisfaction of the XXIII Additional City Civil and Sessions Judge and Special Judge (NDPS), Bengaluru.**
- (ii) **The petitioners shall appear before the concerned Station House Officer as and when required by the Police.**
- (iii) **The petitioners shall abide by the conditions stipulated in Section 437(3) Cr.P.C.**

Petition is accordingly allowed.

JUVVADI SRIDEVI, J

Date: 22.07.2024
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