

HON'BLE SMT. JUSTICE JUVVADI SRIDEVI

CRIMINAL PETITION No.12733 of 2024

ORDER :

Petitioner/accused No.2 has filed this petition under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhitha, 2023 seeking bail in Crime No.34 of 2024 of Prohibition and Excise Station, Narayanaguda, registered for the offences under Sections 8(c) r/w. 22(C) and 27 of NDPS Act, 1985.

2. Heard Ms. Tanushree Bose, learned counsel appearing for petitioner and Sri M.Ramachandra Reddy, learned Additional Public Prosecutor appearing for the respondent-State and perused the record.

3. The case of the prosecution is that on 21.09.2024, 27 grams of MDMA was seized from the flat of accused No.1 in the crime.

4. Learned counsel for petitioner/accused No.2 submits that though the petitioner/accused No.2 is in no way concerned with the offences alleged, as he was present in the flat of accused No.1 when the raid was conducted, he was arrested on

21.09.2024. He further submits that nothing was seized from the possession of the petitioner/accused No.2 and he is neither the owner nor lessor of the said flat. He further submits that no criminal antecedents are reported against the petitioner/accused No.2 and most part of the investigation is completed, except filing of charge sheet. Hence, prayed for grant of bail.

5. The learned Additional Public Prosecutor opposed the application stating that specific allegations are levelled against the petitioner/accused No.2. He further submits that investigation is in progress and if the petitioner/accused No.2 is released on bail at this stage, he may tamper the evidence and may threaten the witnesses, and hence, prayed to dismiss the petition.

6. Having heard both sides and perused the material on record, it appears that no criminal antecedents are reported against the petitioner/accused No.2 and most part of the investigation is completed, except filing charge sheet. In the said circumstances, this Court is of the considered view that it is a fit case for grant of bail, subject to the following conditions:

- 1. The petitioner/accused No.2 shall be released on bail on his executing a personal bond for Rs.20,000/- with two sureties for the like sum each to the satisfaction of II Additional Chief Judicial Magistrate, Hyderabad.**
- 2. The petitioner/accused No.2 shall also furnish an undertaking before the trial Court that he shall not involve in similar cases in future.**
- 3. The petitioner/accused No.2 shall abide by the other conditions stipulated in Section 480 (3) Bharatiya Nagarik Suraksha Sanhitha, 2023.**

Petition is allowed accordingly.

JUVVADI SRIDEVI, J

Date: 25.10.2024
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