

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.13068 of 2024

ORDER:

Seeking the Court to enlarge the petitioner who is arrayed as accused No.2 in Crime No.785 of 2024 of Jawaharnagar Police Station, Rachakonda, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 21.07.2024, the Jawaharnagar Police seized the contraband as the accused persons are buying and selling the contraband illegally to the general public in order to earn money in an ease manner and also registered a case vide Crime No.785 of 2024 before the Jawaharnagar Police, Rachakonda, for the offences punishable under Sections 8(c) read with 15(b), 21 read with 22(c) of NDPS Act.

3. Heard Sri P.Rana Kamlasan, learned counsel appearing on behalf of the petitioner as well as Sri Syed Yasar Manoon, learned Additional Public Prosecutor appearing on behalf of the respondent-State.

4. Learned counsel for the petitioner submitted that all the material witnesses were examined and as such, detention of the petitioner is unnecessary. He further contended that the petitioner has been in judicial custody since 22.07.2024, causing undue hardship to his family. The allegations are false and fabricated. The petitioner is resident of Jodhpur District, Rajasthan State, with movable and immovable properties, and is willing to furnish sureties as directed. He also contended that accused No.1 was already granted bail. Therefore, he prayed the Court to grant bail to the petitioner by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner stating that seized contraband is commercial quantity and investigation is not yet completed, therefore, granting bail to the petitioner, at this stage, does not arise. Hence, he prayed the Court to dismiss the criminal petition.

6. After considering submissions from both the parties and reviewing the record, given the substantial completion of investigation and absence of criminal antecedents against the petitioner, this Court deems it fit to grant bail to the petitioner subject to the following conditions:

- i. The petitioner shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each, with two sureties for a like sum each to the satisfaction of the X Additional Metropolitan Magistrate, Medchal Malkajgiri District at Malkajgiri.
- ii. The petitioner shall appear before the concerned SHO at 11:00 a.m., on every Monday for a period of eight (8) weeks, for the purpose of investigation, and thereafter, as and when required.
- iii. The petitioner shall abide by the conditions stipulated in Section 437(3) of Cr.P.C.(presently, Section 480(3) of the BNSS).

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 19.11.2024
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