

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.13461 of 2024

ORDER:

Seeking the Court to enlarge the petitioner who is arrayed as accused No.3 in Crime No.367 of 2020 of Dhoolpet Excise Police Station, Hyderabad, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 11.09.2020 at about 03:15 p.m., while the Police Excise Dhoolpet conducting route watch, accused No.1 was found in possession of 1.120 kgs of contraband. During the course of investigation, the petitioner/accused No.3 was produced on PT warrant. Hence, the Dhoolpet Excise Police registered a case vide Crime No.367 of 2020 for the offences punishable under Sections 8(c) read with 20(b)(ii)(B) of NDPS Act.

3. Heard Sri Gulab Singh, 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 the investigation is completed, and all the material witnesses were examined, and further detention of the petitioner is unnecessary. He contended that the petitioner has been in judicial custody since 09.10.2024, causing undue hardship to his family. The allegations are false and fabricated. The petitioner is resident of Jiyaguda, Hyderabad, with movable and immovable properties, and is willing to furnish sureties as directed. He further contended that previously, bail application of the petitioner, *vide* Crl.M.P.No.4955 of 2024, was dismissed by the Sessions Judge at Hyderabad, on 29.10.2024, without valid reasons. 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 there are other cases pending against some of the petitioner therefore, granting bail to them, 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, since the seized contraband is

Intermediate Quantity, 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.20,000/- (Rupees Twenty Thousand only) each, with two sureties for a like sum each to the satisfaction of the I Additional Chief Judicial Magistrate at Hyderabad.
- 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.

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 18.11.2024
gms

69

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.13461 of 2024

Date: 18.11.2024

gms