

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.13623 of 2024

ORDER:

Seeking the Court to enlarge the petitioner who is arrayed as accused No.9 in Crime No.367 of 2024 of Sathupalli Police Station, Khammam District, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 07.10.2024, the Sathupalli 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.367 of 2024 before the Sathupalli Police, Khammam, for the offences punishable under Sections 8(c) read with 20(b)(ii)(B), 27(A)(B), 29 of NDPS Act.

3. Heard Ms.B.Shirisha, 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 seized contraband is just Intermediate Quantity. He further

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 07.10.2024, causing undue hardship to his family. The allegations are false and fabricated. The petitioner is resident of Narayanapuram village, Sathupally Mandal, 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.1096 of 2024, was dismissed by the Special Sessions Judge for Trial of Cases under Narcotic Drugs and Psychotropic Substances Act-Cum-I Additional Sessions Judge at Khammam, on 04.11.2024, 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 the investigation is not yet completed, 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.25,000/- (Rupees Twenty Five Thousand only) each, with two sureties for a like sum each to the satisfaction of the Pre Judicial Magistrate of First Class, at Sathupally.
- 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
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