

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.14368 of 2024

ORDER:

Seeking the Court to enlarge the petitioners who are arrayed as accused Nos.1 to 3 in C.O.R.No.163 of 2024 of Uppal Police Station, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that the STF Hyderabad team conducted a raid at Mehfil Restaurant in Shanty Nagar, Uppal, and seized 3.8 kilograms of dry ganja. They also confiscated a Mahindra Xylo car bearing the number CG18K4788 and three mobile phones from the accused. The accused were taken into custody and handed over to the Uppal police station. A case was registered, and the accused, along with the case papers, were produced before the magistrate for judicial remand. Once the investigation is complete, a chargesheet will be filed.

3. Heard Sri Ravuri Sai Sumanth, learned counsel appearing on behalf of the petitioners as well as Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing on behalf of the respondents.

4. Learned counsel for the petitioners submitted that since the arrest of the petitioners on 30.10.2024, for allegedly transporting dry ganja, the seized contraband was of intermediate quantity, and there are no prior criminal records against them. He further submitted that the material part of the investigation has been completed. Given these circumstances, the counsel prayed for the court to grant bail to the petitioners by allowing this criminal petition.

5. Learned Additional Public Prosecutor opposed the bail application of the petitioners, stating that releasing them on bail poses a significant risk of evidence tampering. He further stated that the investigation is still ongoing and incomplete. Therefore, he requested the Court to dismiss the bail petition.

6. Considering the arguments presented by both the learned counsel and the material on record, this Court observes that the seized quantity constitutes an intermediate amount. Learned Additional Public Prosecutor opposed the bail application based on potential witness influence and evidence tampering, yet acknowledging the official nature of the witnesses and absence of evidence linking petitioners to other similar offenses, this Court deems it appropriate to grant bail to the petitioners with the following conditions:

- i. The petitioners 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 learned I Additional Metropolitan Sessions Judge, Medchal-Malkajgiri, Kushaiguda.
- ii. The petitioners 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 petitioners 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: 04.12.2024
SAI

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