

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.14770 of 2024

ORDER:

Seeking the Court to enlarge the petitioners who are arrayed as accused Nos.5 and 7 in COR No.234 of 2024 of the Prohibition and Excise Station, Dhoolpet, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 20.08.2024, at 12:57 p.m., the Dhoolpet 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 COR No.234 of 2024 before the Prohibition and Excise Station, Dhoolpet, for the offences punishable under Sections 8(c) read with 20(b)(ii)(c) of NDPS Act.

3. Heard Sri A.Maheshwari Mudiraj, learned counsel appearing on behalf of the petitioners as well as Sri Syed Yasar Manoon, learned Additional Public Prosecutor appearing on behalf of the respondent-State.

4. Learned counsel for the petitioners *firstly* submitted that the petitioners are innocent and they are no way concerned with the alleged offences. He *secondly* submitted

that the petitioners have been in judicial custody since 18.11.2024, causing undue hardship to their families. The petitioners are residents of Hyderabad, with movable and immovable properties, and are willing to furnish sureties as directed. He *lastly* submitted that previously, bail application of the petitioners, *vide* Crl.M.P.No.5188 of 2024, was dismissed by the Sessions Judge, Hyderabad, on 11.11.2024, without valid reasons. Therefore, he prayed the Court to grant bail to the petitioners by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor opposed grant of bail to the petitioners and stating that the investigation is not yet completed, therefore, granting bail to the petitioners, at this stage, does not arise. Hence, he prayed the Court to dismiss the criminal petition.

6. Having regard to the submissions made by both the parties, it is apparent that the quantity involved in this case is 20.80 kgs which is slightly commercial quantity. Since the petitioners are in custody since 18.11.2024 and there are no criminal antecedents against the petitioners and also material part of the investigation is completed, this Court deems it fit to grant bail to the petitioners subject to the following conditions:

- i. The petitioners shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Thousand only) each, with two sureties for a like sum each to the satisfaction of the Metropolitan Sessions Judge Hyderabad.
- 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.(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: 10.12.2024

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