

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.15191 of 2024

ORDER:

Seeking the Court to enlarge the petitioners who are arrayed as accused Nos.1, 3 and 4 in Crime No.216 of 2024 of Wardhannapet Police Station, Warangal District, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 23.09.2024, the Wardhannapet 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.216 of 2024 before the Wardhannapet Police Station, Warangal, for the offences punishable under Section 8(c) read with 20(b)(ii)(C) of NDPS Act.

3. Heard Sri Challa Srinivas Reddy, 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 all the material witnesses were examined, and further detention of the petitioners are unnecessary. He *thirdly* submitted that the petitioners have been in judicial custody since 24.09.2024, causing undue hardship to his family and that the allegations are false and fabricated. He *fourthly* submitted that the petitioners is resident of Bihar State and Delhi, with movable and immovable properties, and is willing to furnish sureties as directed. He *lastly* submitted that previously, bail application of the petitioners, *vide* Crl.M.P.No.282 of 2024, was dismissed by the Special Sessions Judge for NDPS Cases (I Additional Seccession Judge) at Warangal, without valid reasons and prayed the Court to grant bail to the petitioners by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioners stating that the alleged contraband is in commercial quantity and 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. After considering submissions from both the parties and reviewing the record, since the petitioners/accused Nos.1, 3 and 4 is languishing in jail from 24.09.2024 and also material part of 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 Five Thousand only) each, with one local surety and one non local surety for a like sum each to the satisfaction of the II Additional Judicial First Class Magistrate, Warangal.
- 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: 24.12.2024

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