

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.15292 of 2024

ORDER:

Seeking the Court to enlarge the petitioner who is arrayed as accused No.1 in Crime No.347 of 2021 of Sangareddy Rural Police Station, Sangareddy, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 29.11.2021, the Sangareddy Rural 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.347 of 2021 before the Sangareddy Rural Police, Sangareddy District, for the offences punishable under Section 20(b) of NDPS Act.

3. Heard Sri N.Manohar, 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 *firstly* submitted that though there is no corroborative evidence to prove the alleged offences, the petitioner was implicated in the case with false and fabricated allegations. He *secondly* submitted that the petitioner is innocent and he is no way concerned with the alleged offences. He *thirdly* submitted that all the material

witnesses were examined, and further detention of the petitioner is unnecessary. He *foruthly* submitted that the petitioner has been in judicial custody since 29.08.2024, causing undue hardship to his family. He *fifthly* submitted that the petitioner is resident of Nagalagidda Mandal, Sangareddy District, with movable and immovable properties, and is willing to furnish sureties as directed. He *lastly* submitted that previously, bail application of the petitioner, *vide* Crl.M.P.No.1289 of 2024, was dismissed by the I Additional District and Sessions Judge at Sangareddy, on 06.12.2024, without valid reasons and 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 seized contraband is Commercial Quantity, therefore, granting bail to the petitioner, 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, it is apparent that the crime is of the year 2021 and after completion of investigation, a charge sheet was also filed against accused Nos.2 and 3. Since the petitioner/accused No.1 is languishing in jail from 29.08.2024 and there are no criminal antecedents pending against the

petitioner, 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 I Additional District and Sessions Judge at Sangareddy.
- 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. If charge sheet is filed against the petitioner, he shall cooperate with the trial proceedings by appearing before the concerned Court whenever his presence is required.
- iii. The petitioner 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: 19.12.2024
gms

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