

THE HONOURABLE SRI JUSTICE E.V.VENUGOPAL

CRIMINAL PETITION No.15626 of 2024

ORDER :

Petitioner/accused No.4 has filed this petition under Sections 480 and 483 of Bharatiya Nagrik Suraksha Sanhitha, 2023 (for short 'BNSS') seeking bail in Cr.No.519 of 2024 of Suryapet II-Town Police Station registered for the offences under Section 8c r/w. 20 (b) (ii) (C) and Section 29 of Narcotic Drugs and Psychotropic Substance Act (for short NDPS).

2. Heard Sri A.Prabhakar Reddy, learned counsel for petitioner and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the State and perused the record.

3. The case of the prosecution is that on 17.11.2024 LW1/K.Gopi Krishna, Sub Inspector of Police, Suryapet II-Town PS along with staff were organizing vehicle checking at Rajeevpark, Enadu Junction of Suryapet II-Town PS limits to prevent offences, in the meanwhile,

two maruti swift cars bearing Nos.AP-31-CF-6688 and AP-16-AV-9459 were found under suspicious manner and on seeing the Police the petitioner/accused No.4 along with other accused tried to escape from the spot. Immediately, the Police stopped the cars and caught hold the accused. On enquiry, they revealed that they have ganja cannabis packets in their above said two cars. On that the Police seized 36 kgs of ganja from the first car bearing No.AP-31-CF-6688 and 36 Kgs of ganja from the second car bearing No.AP-46-AV-9459. Hence LW-1 lodged a complaint against them.

4. Learned counsel for petitioner/accused No.4 draws the attention of this Court to medical certificate issued by Government hospital Thalagadda, Amaravadinagar, Suryapet, Telangana dated 16.11.2024, wherein it is shown that the petitioner, who is aged about 57 years stated to have been examined by the Government doctor and medication was prescribed in the medical certificate. It has been observed that the petitioner is suffering with left renal cortical calcification and therefore he cannot

travel as he is unable to walk and sit properly. He further submits that petitioner a resident of Bidar and major part of investigation is completed and he is in jail since 18.11.2024. Hence, prayed for grant of bail.

5. The learned Additional Public Prosecutor, on the other hand, opposed the application stating that it is necessary to further investigate the petitioner herein and it is a heinous crime and if the petitioner is released on bail, he may commit similar type of offences. Hence, prayed to dismiss the petition.

6. Having heard both sides and on perusal of material placed on record, no specific allegations are levelled against petitioner/accused No.4. In view of the same and considering the fact that major part of the investigation is completed and since the petitioner/accused No.4 is in judicial custody since 18.11.2024, this Court is inclined to grant bail to the petitioner/accused No.4, subject to the following conditions:

1. The petitioner/accused No.4 shall be released on bail on his executing a personal bond for

Rs.25,000/- with two sureties for the like sum each to the satisfaction of Judicial First Class Magistrate, Suryapet.

2. The petitioner/accused No.4 shall comply with the conditions as laid down under Section 480 (3) Bharatiya Nagarik Suraksha Sanhitha, 2023.

7. Accordingly, this Criminal Petition is allowed.

E.V. VENUGOPAL, J

Date: 27.12.2024
lk/bv