

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.16152 of 2024

ORDER:

Seeking the Court to enlarge the petitioner who is arrayed as accused No.2 in C.O.R No.43 of 2024 of Prohibition and Excise Police Station, Jubilee Hills, Hyderabad, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 19.12.2024, the Jubilee Hills Prohibition and Excise 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 C.O.R No.43 of 2024 of Prohibition and Excise Police Station, Jubilee Hills, Hyderabad, for the offences punishable under Section 8(c) read with 22(c) of NDPS Act.

3. Heard Sri Aruva Raghuram Mahadev, 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 the seized contraband is just Intermediate Quantity. He *secondly* submitted that though there is no corroborative

evidence, the petitioner was implicated in the case with false and fabricated allegations. He *thirdly* submitted that all the material witnesses were examined, and further detention of the petitioner is unnecessary. He *fourthly* submitted that the petitioner has been in judicial custody since 19.12.2024, causing undue hardship to his family. He *lastly* submitted that the petitioner is resident of Banjara Hills, Hyderabad, with movable and immovable properties, and is willing to furnish sureties as directed 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 investigation is not yet completed, 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, since the seized contraband is Intermediate Quantity and the petitioner is languishing in jail from 19.12.2024 and also material part of investigation is completed, 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.15,000/- (Rupees Fifteen Thousand only) each, with two sureties for a like sum each to the satisfaction of the XVII Additional Chief Judicial Magistrate, Nampally, Hyderabad.
- ii. The petitioner shall appear before the concerned SHO at 11:00 a.m., on every Monday for a period of eight (8) week or till filing of charge sheet whichever is earlier, for the purpose of investigation, and thereafter, as and when 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: 31.12.2024

gms

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