

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.131 of 2025

ORDER:

Seeking the Court to enlarge the petitioner who is arrayed as accused No.1 in C.O.R.No.192 of 2024 of Prohibition and Excise Police Station, Sangareddy, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 26.08.2024, the Sangareddy 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.192 of 2024 before the Sangareddy Prohibition and Excise Police, Sangareddy, for the offences punishable under Section 8(c) read with 20(b)(ii)(c) of the NDPS Act.

3. Heard Sri Srinath Atmakur, 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 petitioner is innocent and he is no way concerned with the

alleged offences. He *secondly* submitted that though there is no corroborative evidence, the petitioner was implicated in the case with false and fabricated allegations by obtaining his confessional statement forcibly. 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 26.08.2024, causing undue hardship to his family. He *fifthly* submitted that the petitioner is resident of Punganur Mandal, Chittoor 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.1223 of 2024, was dismissed by the I Additional District and Sessions Judge, Sangareddy, on 18.11.2024, 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 and also the investigation is not 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, it is apparent that without there being any incriminating evidence, the petitioner was implicated in the case and there are no other criminal antecedents pending against the petitioner. Hence, since the petitioner is languishing in jail from 26.08.2024 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 petitioners 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 Judicial Magistrate of First Class for Trial of Cases under Prohibition and Excise Act-Cum-III Additional Junior Civil 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) 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: 27.01.2025

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