

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.1705 of 2025

ORDER:

Seeking the Court to enlarge the petitioner who is arrayed as accused No.1 in Crime No.19 of 2025 of Parvathagiri Police Station, Warangal District, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 24.01.2025, Sub-Inspector of Police and his team were patrolling near Annaram when they spotted two individuals, Mandava Sai and Kurapati Yellaiah, attempting to flee on a motorcycle with a bag containing 2.065 kg of dry ganja, valued at Rs.50,000/-. The duo was apprehended and revealed that they were involved in selling ganja to earn easy money. The police seized the motorcycle, ganja, and two mobile phones, and requested necessary action be taken as per law.

3. Heard Sri Gafar Mahammad, 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 submitted that the seized contraband is only of intermediate quantity and that he was falsely

implicated with fabricated allegations, despite a lack of corroborative evidence. He further submitted that all key witnesses have been examined, making further detention unnecessary. The petitioner had been in judicial custody since 25.01.2025, causing hardship to his family. Therefore, he 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 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 25.01.2025 and also material part of investigation is completed, as such, 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), with two sureties for a like sum each to the satisfaction of

the learned II Additional Judicial Magistrate of First class, Warangal.

- 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: 13.02.2025
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