THE HONOURABLE SRI JUSTICE K.SARATH

CRIMINAL PETITION No.6622 of 2025

ORDER:

This criminal petition is filed by the petitioner/accused No.1 under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhita (for short 'BNSS') to enlarge them on bail in Crime No.61 of 2025 of Hayathnagar Police Station, Rachakonda Commissionerate, registered for the offence punishable under Section 8(c) read with 20(b)(ii)(C) and Section 29 of the Narcotic Drugs And Psychotropic Substances Act, 1985 (for short, "the NDPS Act").

2. The case of the prosecution is that on 12.01.2025, on receipt of credible information that Ganja is being transported illegally in Innova Car bearing registration No.AP 09 BM 5959, the Sub-Inspector of Police, Hayathnagar, went near Sri Mallikarjuna Swamy SSR Constructions and found that the accused was in possession of the contraband, arrested him and seized 28.78 Kgs of Ganja. Basing on the said complaint, a case in Crime No.61 of

2025 was registered against the petitioner and others for the above said offences.

3. Heard learned counsel for the petitioner/accused No.1and the learned Additional Public Prosecutor for the respondent-State.

4. Learned counsel for the petitioner submits that the petitioner has not committed the alleged offence and he was falsely implicated in the present crime. He further submits that the petitioner was arrested on 12.01.2025 and since then he has been in judicial custody and that he is ready and willing to cooperate with the investigation and also abide by the conditions that are going to be imposed by this Court. He further submits that the petitioner is not involved in any other case, including similar offence.

5. *Per contra*, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner stating that the petitioner has involved in grave offence under the provisions of the NDPS Act and the investigation is under progress.Therefore, requested to dismiss the criminal petition.

6. Having considered the rival submissions made by both the parties and after perusal of the material available on record, it reveals that the petitioner was arrested on 12.01.2025 and since then he is in judicial custody and that he is not involved in any other crime.

7. It is pertinent to mention here that the other accused in this crime, namely accused Nos.2 and 3 were granted bail by this Court on 21.03.2025 in Criminal Petition No.3735 of 2025.

8. Taking into consideration the facts and circumstances of the case and the major part of investigation is completed, this Court is inclined to grant bail to this petitioner on the following conditions:

(1) The petitioner/accused No.1 shall be enlarged on bail on his executing a personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousands only) with two sureties for a like sum each to the satisfaction of the XIV Metropolitan Magistrate, at Hayathnagar.

(2) The petitioner/accused No.1 shall appear before the concerned SHO at 11:00A.M. on every Monday for a period of eight (8) weeks or till filing of charge sheet

whichever is earlier, for the purpose of investigation and thereafter as and when required.

(3) The petitioner/accused No.1 shall abide by the conditions stipulated in Section 480(3) of the BNSS and shall cooperate with the investigation.

9. Accordingly, the criminal petition is allowed.

Pending miscellaneous applications, if any, shall stand closed.

JUSTICE K.SARATH

Date: 28.05.2025
spk/myk

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