

THE HON'BLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION NO.16200 OF 2024

ORDER:

This criminal petition is filed by the petitioner/accused No.3 seeking bail in connection with Crime No.69 of 2024 of Prohibition and Excise Station, Secunderabad. The offences alleged against the petitioner are under Sections 8 (c) r/w. Section 22 (C) of Narcotic Drugs and Psychotropic Substances Act, 1985.

2. The case of the prosecution is that on receiving a complaint about illegal possession and use of Narcotic drug injections at G.V.Saluja Hospital at Regimental Bazar, Secunderabad, the Excise Sub-inspector along with the Drug Control authorities visited the hospital and found A.1 to A.3 in possession of the Narcotic drug injections without any valid licence or permit and seized the same under the cover of panchanama and registered the said crime.

3. Heard Sri J.P. Srikanth, learned counsel for the petitioner and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent.

4. The contention of learned counsel for the petitioner is that petitioner is innocent of the alleged offences. The police roped the petitioner into this case, as he is working in the medical shop and he is a chemist in that shop, he has nothing to do with the day-to-day affairs of the hospital and medical shop. As such, prayed this Court to grant bail to the petitioner.

5. On the other hand the learned Additional Public Prosecutor opposed bail on the ground that the injections seized is a commercial quantity and huge quantity of drug injections are seized from the said hospital. Investigation is still at initial stage, as such, prayed this Court to dismiss this petition.

6. In the light of the submissions made by both the learned counsel and a perusal of the material available on record, the sole contention of the learned counsel for the petitioner is that, petitioner is a salesman at a medical shop, he has no connection to the alleged drug injections, despite being accused No.3 in this case. The petitioner has been incarcerated since 30.10.2024. As the material part of the investigation is completed and considering the facts and circumstances of the case, 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.25,000/- (Rupees Twenty Five Thousand only) each, with two sureties for a like sum each to the satisfaction of the learned XXII Additional Chief Metropolitan Magistrate, Secunderabad.
 - ii. The petitioner shall appear before the concerned SHO at 11:00 a.m., on every Monday for a period of eight (8) weeks, 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.
7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 13.02.2025
SAI

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