



IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

**THURSDAY, THE SIXTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY THREE**

:PRESENT:

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY

CRIMINAL PETITION NO: 1085 OF 2023

Between:

Thangula Dhasamanth, S/o. Pooladar, aged about 20 Years, Pathalangi Village, Kandrum Panchayath Dumbriguda Mandal, Alluri Seetaramaraju District.

...Petitioner/Accused-1

AND

The State of Andhra Pradesh, Rep. by its Public Prosecutor, High Court of Judicature of Andhra Pradesh At Amaravati.

...Respondent/Complainant

Petition under Sections 437 & 439 of Cr.P.C, praying that in the circumstances stated in the memorandum of grounds filed in Criminal Petition, the High Court may be pleased to release the petitioners/A1 on bail in Cr.No. 299 of 2022 of Srungavarapukota Police Station, Vizianagaram District.

The petition coming on for hearing, upon perusing the Petition and the memorandum of grounds filed in support thereof and upon hearing the arguments of Sri Kakumanu Joji Amrutha Raju, Advocate for the Petitioner and of Asst. Public Prosecutor for the Respondent, the Court made the following;

ORDER:

HON'BLE SRI JUSTICE K. SREENIVASA REDDY

Criminal Petition No.1085 of 2023

Order:

This Criminal Petition, under Sections 437 and 439 of Cr.P.C., has been filed by the petitioner/A-1, seeking regular bail, in Crime No.299 of 2022 of S. Kota Police Station, Vizianagaram district, registered for the offence punishable under Section 8(c) read with 20(a), 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the NDPS Act').

2. Case of the prosecution, in brief, is that, on 23.09.2022, at about 08.00 hours, on credible information, the Sub-Inspector of Police, S. Kota Police Station, along with his staff and mediators, proceeded to RTC Complex middle gate, S. Kota village and while conducting vehicle check, found accused Nos.1 and 2 in possession and illegal transportation of 9.2 Kgs of Ganja. Police seized the contraband, along with Bajaj Pulsar Bike bearing registration No.AP 39 LK 7291 and other material, under cover of a mediators report. Accused Nos.1 and 2 were arrested and remanded to judicial custody.

3. Heard. Perused the record.

4. The petitioner herein/A1 is in judicial custody since 23.09.2022. The quantity of Ganja allegedly seized from the

possession of the accused is only 9.2 Kgs, which is not a commercial quantity. It is submitted by the learned Assistant Public Prosecutor that material part of investigation is completed. In view of the aforesaid facts and circumstances of the case, this Court is inclined to grant bail to the petitioner herein on the following conditions.

i) The petitioner herein shall be released on bail on his executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of the like sum each to the satisfaction of the learned Judicial Magistrate of First Class, Srungavarapukota (S. Kota).

ii) Petitioner shall appear before the Station House Officer concerned once in a week i.e. on every Sunday between 10.00 AM and 5.00 PM, till filing of the charge sheet.

5. Accordingly, the Criminal Petition is allowed.

Sd/- K. SRINIVASA RAJU
ASSISTANT REGISTRAR

//TRUE COPY//

For / SECTION OFFICER

To,

1. The Judicial Magistrate of First Class, Srungavarapukota (S.Kota), Vizianagaram.
2. The Superintendent, Sub-Jail (prison), S. Kota, Vizianagaram District.
3. The Station House Officer, Srungavarapukota Police Station, Vizianagaram Dist.
4. One CC to Sri. Kakumanu Joji Amrutha Raju, Advocate [OPUC]
5. Two CC to Public Prosecutor, High Court of AP [OUT]
6. One spare copy.

MSB

HIGH COURT

SRK,J

DATED:16/02/2023

BAIL ORDER

CRLP.No.1085 of 2023

ALLOWED

