



IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

TUESDAY, THE TWENTY FIFTH DAY OF APRIL
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY

CRIMINAL PETITION NO: 2480 OF 2023

Between:

Shaik Mohammed Gouse, S/o. Rasool, aged about 64 years, R/o. near Hostel
No.1, Deva Nagar, Nandyal Town and District

Petitioner/Accused 7

AND

The State of Andhra Pradesh, through Station House officer, Nandyal III Town
P.S, Nandyal district, Rep. by Public Prosecutor, High Court 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 support of the Criminal
Petition, the High Court may be pleased to grant bail to the Petitioner/A 7 in
Cr.No.41/2023 on the file of Nandyal III Town P.S, Nandyal district.

COUNSEL FOR THE PETITIONER : SRI K NAGA PHANINDRA

COUNSEL FOR THE RESPONDENT : PUBLIC PROSECUTOR

THE COURT MADE THE FOLLOWING ORDER

HON'BLE SRI JUSTICE K. SREENIVASA REDDY

Criminal Petition No.2480 of 2023

Order:

This Criminal Petition, under Sections 437 and 439 of Cr.P.C., has been filed by the petitioner/A-7, seeking regular bail, in Crime No.41 of 2023 of Nandyal III Town Police Station.

2) A case has been registered against the petitioner and others for the offence punishable under Section 20(b)(ii)(C) r/w 8(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the NDPS Act').

3) Brief facts of the case are that, on 10.03.2023, on credible information, Sub-Inspector of Police, III Town Police Station, Nandyal, along with Government Officials and panchayatdars, left to scene of offence i.e., Nagulakatta, at Noonepalli Railway Station Rastha and found A1 to A8 in possession of 20 Kg 560 grams of Ganja. The contraband and other material was seized under the cover of a panchanama and accused persons were sent to judicial custody.

4) Heard. Perused the record.

5) The quantity of ganja allegedly seized from the possession of accused is 21 Kg 560 grams. The petitioner was

arrested on 10.03.2023 and since then he is in judicial remand.

It is submitted by the learned Special Assistant Public Prosecutor that in this case major portion of investigation has been completed and receipt of RFSL report is awaited. It is also further submitted by the learned Special Assistant Public Prosecutor that there are no other cases as against the petitioner herein and this is the first case that has been registered.

6) In view of the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner/A-7, on the following conditions.

(i) The petitioner/A-7 shall be released on executing a personal bond for Rs.10,000/- (Rupees Ten Thousand only) with two sureties for a like sum each to the satisfaction of the learned Judicial Magistrate of First Class, Nandyal;

(ii) On release, the petitioner shall appear before the Station House Officer concerned, once in a week i.e., on every Friday between 10.00 a.m., and 01.00 p.m., till filing of the charge sheet.

(iii) The petitioner shall not directly or indirectly contact or threaten the witnesses under any circumstances and any such

attempt shall be construed as an attempt of influencing the witnesses and shall not tamper evidence and shall co-operate with the investigation.

It is made clear that the petitioner shall scrupulously comply with the above conditions and breach of any of the above conditions will be viewed seriously and prosecution is at liberty to move an application for cancellation of the bail.

7) Accordingly, the Criminal Petition is **allowed**.

//TRUE COPY//

Sd/- S. SRINIVASA PRASAD
ASSISTANT REGISTRAR

For

SECTION OFFICER

To,

1. The Judicial First Class Magistrate, Nandyal
2. The Superintendent, District Jail, Panchalingala, Kurnool, Kurnool District.
3. The Station House officer, Nandyal III Town P.S, Nandyal district
4. One CC to Sri K Naga Phanindra Advocate [OPUC]
5. Two CCs to Public Prosecutor, High Court of AP [OUT]
6. One spare copy



HIGH COURT

SRKJ

DATED:25/04/2023

BAIL ORDER

CRLP.No.2480 of 2023

ALLOWED

