

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

WEDNESDAY, THE NINETEENTH DAY OF APRIL,

TWO THOUSAND AND TWENTY THREE ✓

:PRESENT:

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY

CRIMINAL PETITION NO: 2632 OF 2023-



Between:

Simma Manikanta @ Mani @ Bondalu, S/o. Late Nagaraju, Aged about 23 years, R/o. Opp. To Arjunamma Pan Shop, Near Raithu Bazar, Srinagar Street, Kancharapalem, Visakhapatnam District.

...Petitioner/Accused A1

AND

The State of Andhra Pradesh, Rep. By its Public Prosecutor, High Court of A.P., Amaravati, Through Station House Officer, Kancharapalem Police Station, Visakhapatnam District.

...Respondent

Petition under Section 437 & 439 of Cr.P.C is filed praying that in the circumstances stated in memorandum of grounds of Criminal Petition, the High Court may be pleased to enlarge the petitioner on Regular Bail to the petitioner/ accused A-1 in connection with Crime No. 40/2023 on the file of Kancharapalem Police Station, Visakhapatnam District, dated 18.02.2023.

The petition coming on for hearing, upon perusing the Petition and memorandum of grounds of criminal petition and upon hearing the arguments of Sri Siva Nagarjuna Sidhadapu, Advocate for the Petitioner and Public Prosecutor for the Respondent, the Court made the following;

ORDER:

HON'BLE SRI JUSTICE K. SREENIVASA REDDY

Criminal Petition No.2632 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.40 of 2023 of Kancharapalem Police Station, Visakhapatnam Commissionerate.

2. A case has been registered against the petitioner herein and others for the offence punishable under Section 20(b)(ii)(B) read with 8(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the NDPS Act').
3. Case of the prosecution, in brief, is that, on 18.02.2023, on receipt of credible information, the Sub-Inspector of Police, Kancharapalem Police Station, Visakhapatnam, along with his staff and mediators, rushed to BRTS service road, Raithu Bazar, Kancharapalem and found the petitioner herein and others in possession of 6 Kgs of Ganja. The contraband, along with other material, was seized under cover of a mediators report. Petitioner was arrested and remanded to judicial custody on the same day.
4. Heard. Perused the record.
5. The petitioner/A-1 was remanded to judicial custody on 18.02.2023 and since then he is languishing in jail. The quantity of Ganja allegedly seized from the possession of the accused is 6 Kgs, which does not amount to commercial quantity. In view of the

aforesaid facts and circumstances of the case, this Court is inclined to grant bail to the petitioner 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 VII Additional Metropolitan Magistrate, Visakhapatnam.

ii) Petitioner shall appear before the Station House Officer concerned once in a week i.e. on every Friday between 10.00 AM and 1.00 PM, till filing of the charge sheet.

6. Accordingly, the Criminal Petition is allowed.

//TRUE COPY//

For

Sd/- S. SRINIVASA PRASAD
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The VII Additional Metropolitan Magistrate at Visakhapatnam.
2. The Superintendent, District Jail, Visakhapatnam.
3. The Station House Officer, Kancharapalem Police Station, Visakhapatnam District.
4. One CC to Sri. Siva Nagarjuna Sidhadapu, Advocate [OPUC]
5. Two CCs to Public Prosecutor, High Court of AP [OUT]
6. One spare copy

MM

HIGH COURT

SRKJ

DATED:19/04/2023

ORDER

CRLP.No.2632 of 2023

ALLOWED

