

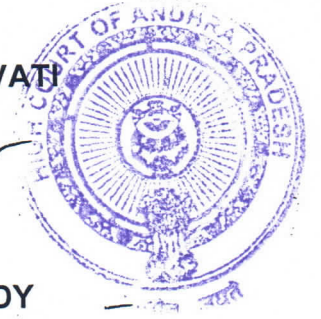
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

WEDNESDAY, THE NINETEENTH DAY OF APRIL,
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY

CRIMINAL PETITION NO: 2646 OF 2023



Between:

1. Kondapu Dilleswara Reddy @ Dilli, S/o (Late) Ramireddy, Aged 27 yrs
D.No.5-3-8-5/3/3 Seerapuvariveedhi Back side of Ramalayam,
Maddilapalem Visakhapatnam.
2. Pala Bhaskar, S/o Sannibabu, Aged 27 yrs, D.No.53-2-16
Dallivariveedhi Near Rajarajeswari Temple, Maddilapalem,
Visakhapatnam City.

...Petitioners/Accused 1 & 2

AND

The State of Andhra Pradesh, Represented by its Public Prosecutor High
Court at Amaravathi.

...Respondent/Complainant

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 pass an Order to Enlarge the Petitioners on a
Regular Bail in connection with the Crime in F.I.R. No.65/2023 of
Muvvalapalem P.S, Visakhapatnam City dt.17-03-2023 by allowing the
Criminal Petition in the interest of the justice.

The petition coming on for hearing, upon perusing the Petition and
memorandum of grounds of criminal petition and upon hearing the arguments
of Sri Ravuri Leela Sai Sampath, Advocate for the Petitioners and Public
Prosecutor for the Respondent, the Court made the following;

ORDER:

HON'BLE SRI JUSTICE K. SREENIVASA REDDY

Criminal Petition No.2646 of 2023

Order:

This Criminal Petition, under Sections 437 and 439 of Cr.P.C., has been filed by the petitioners/A-1 and A-2, seeking regular bail, in Crime No.65 of 2023 of Muvvalavanipalem Police Station, Visakhapatnam Commissionerate.

2. A case has been registered against the petitioners herein 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 17.03.2023, at about 08.30 hours, on receipt of credible information, the Sub-Inspector of Police, Muvvalavanipalem Police Station, Visakhapatnam, along with his staff and mediators, rushed to HB colony park gate, HB Colony, Visakhapatnam City, and found the petitioners herein in possession of 5 Kgs of Ganja. The contraband, along with other material, was seized under cover of a mediators report. Petitioners were arrested and remanded to judicial custody on the same day.

4. Heard. Perused the record.

5. The petitioners/A-1 and A-2 were remanded to judicial custody on 17.03.2023 and since then they are languishing in jail. The quantity of Ganja allegedly seized from the possession of the accused is 5 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 petitioners on the following conditions.

i) The petitioners herein shall be released on bail on their executing personal bonds for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties of the like sum each to the satisfaction of the learned IV Additional Chief Metropolitan Magistrate, Visakhapatnam.

ii) Petitioners 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.

Sd/- U. SRI DEVI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The IV Additional Chief Metropolitan Magistrate Court at Visakhapatnam.
2. The Superintendent, Central Prison, Visakhapatnam.
3. The Station House Officer, Muvvalapalem Police Station, Visakhapatnam City.
4. One CC to Sri. Ravuri Leela Sai Sampath, 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.2646 of 2023

ALLOWED

