

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

[3827]

THURSDAY, THE NINETEENTH DAY OF JANUARY
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY

CRIMINAL PETITION NO: 294 OF 2023



Between:

Nalaparthi Vijay Madhan @ Babbu, S/o Late Mohan Age 20 years, Student, D.
No. 5-18-16(2), SC Colony, Narsipatnam, Anakapalli District – 531116

AND

Petitioner/Accused No - 1

The State of Andhra Pradesh, Rep. by its Public Prosecutor, High Court of A.P,
Amaravathi, Through Station House Officer, K.D. Peta Police Station, K.D. Peta,
Anakapalli District.

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 enlarge the Petitioner/ Accused No. 1 on
Regular Bail in connection with Cr. No. 109 of 2022 on the file of the K.D.Peta Police
Station, K.D. Peta, Anakapalli District.

COUNSEL FOR THE PETITIONER : SRI K SAIRAM MURTHY

COUNSEL FOR THE RESPONDENT : PUBLIC PROSECUTOR

THE COURT MADE THE FOLLOWING ORDER

/

HON'BLE SRI JUSTICE K. SREENIVASA REDDY

Criminal Petition No.294 of 2023

Order:

This Criminal Petition, under Sections 437 and 439 of Cr.P.C., has been filed by the petitioner/A1, seeking regular bail, in Crime No.109 of 2022 of Krishna Devipeta Police Station, Anakapalli district, registered for the offences punishable under Sections 20(b)(ii)(B), 25 read with 8(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the NDPS Act').

2. Case of the prosecution, in brief, is that, on 01.12.2022, on receipt of credible information about illegal transportation of Ganja, the SI of Police, Krishna Devipeta Police Station, Anakapalli, along with his staff and mediators, went to Allure Park, A.L. Puram village, Golugonda Mandal and while conducting vehicle checking, found one Car bearing registration No.AP 39 EF 2174, coming from Rompula Ghat side and on seeing the police party, the Car driver reversed the Car, dashed a tree and he along with another person escaped from the scene of offence. The contraband of 5 Kgs of Ganja, along with the car, was seized under the cover of mediators report. Later, A1 and A2 were arrested and remanded to judicial custody on 15.12.2022 in connection with the aforesaid crime.

3. Heard. Perused the record.

4. On perusal of record, it is clear that the petitioner/A1 was not secured at the scene of offence. After enquiry, basing on the mediators report, a case has been registered against him. Police also did not seize the contraband from his possession. The petitioner has been in judicial custody from 16.12.2022. In view of the aforesaid facts and circumstances of the case, this Court is inclined to grant bail to the petitioner.

5. Accordingly, the Criminal Petition is allowed. 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 Additional Judicial Magistrate of First Class, Narsipatnam, Anakapalli district. 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. /

Sd/- M. SRINIVAS
ASSISTANT REGISTRAR

SECTION OFFICER

//TRUE COPY//

For

To,

1. Additional Judicial First Class Magistrate, Narsipatnam, Anakapalli District(old District Name Visakhapatnam) Magistrate, Visakhapatnam.
2. The Superintendent, Central Prison, Visakhapatnam.
3. Station House Officer, K.D. Peta Police Station, K.D. Peta, Anakapalli District.
4. One CC to SRI. K SAIRAM MURTHY Advocate [OPUC]
5. Two CCs to Public Prosecutor, High Court of AP [OUT]
6. One spare copy

HIGH COURT

SRKJ

DATED:19/01/2023

BAIL ORDER

CRLP.No.294 of 2023

ALLOWED

