



IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

[3327]

MONDAY, THE FIRST DAY OF MAY
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY
CRIMINAL PETITION NO: 2989 OF 2023

Between:

Resapu Chandra Sekhar Reddy, S/o. Chalapathi Reddy, Aged 27 years, R/o. 1-5-113, Near Ramalayam, Akkireddypalem, Pedagantyada, Bharat Heavy Plates and Vessels Limited. Visakhapatnam, Vishakhapatnam District.

Petitioner/Accused No.1

AND

The State Of Andhra Pradesh, Rep by its Station House Officer, Atkuru Police Station, Krishna District, Rep through Public Prosecutor, High Court 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 support of the Criminal Petition, the High Court may be pleased to enlarge the Petitioner/Accused No.1 on bail in Crime No. 92/2023 on the file of Atkuru Police Station, Gannavaram for the offences punishable U/s 8(c) r/w. 20(b) (ii) (b) of NDPS Act, 1985, in the interest of justice, equity and good conscience.

IA NO: 1 OF 2023

Petition under Section 482 of Cr.P.C., praying that in the circumstances stated in the memorandum of grounds filed in support of the petition, the High Court may be pleased to grant interim bail to the Petitioner/Accused No.1 in Crime No. 92/2023 on the file of Atkuru Police Station, Gannavaram for the offences punishable U/s 8(c) r/w. 20(b) (ii) (b) of NDPS Act, 1985, Pending disposal of CRLP 2989 of 2023, on the file of the High Court.

COUNSEL FOR THE PETITIONER : SRI KILARU NITHIN KRISHNA

COUNSEL FOR THE RESPONDENT : PUBLIC PROSECUTOR

THE COURT MADE THE FOLLOWING ORDER

HON'BLE SRI JUSTICE K. SREENIVASA REDDY

Criminal Petition No.2989 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.92 of 2023 of Atkuru Police Station, Krishna District.

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

3. Case of the prosecution, in brief, is that on 03.04.2023, on receipt of credible information, the Sub-Inspector of Police, Atkuru Police Station, along with his staff and mediators, rushed near to Wellvet Labs Company, Padmaja Laboratory road, Chinna Avutapalli Village and found A1 to A5 trying to escape. The police apprehended them and found them in possession of 3.1 Kgs of Ganja and 3 grams of MDMA powder. On questioning, A1 revealed that he brought ganja from A6 through A5 and A2 brought from A7. The contraband along with other

material was seized under the cover of a Mahazar report and case was registered against all the accused.

4. Learned counsel for the petitioner submits that the petitioner was falsely implicated in the present crime. The quantity of Ganja allegedly seized from the possession of the accused is not a commercial quantity. Material part of the investigation is already completed.

5. On the contrary, learned Assistant Public Prosecutor opposed the petition on the ground that the investigation is not completed.

6. Heard. Perused the record.

7. The petitioner was arrested and sent to judicial custody on 04.04.2023 and since then he is in jail. The quantity of Ganja allegedly seized from the possession of the petitioner is 3.1 KGs of Ganja and 3 grams of MDMA powder, which does not amount to commercial quantity. In view of the aforesaid facts and circumstances of the case, the petitioner can be released on bail.

8. Accordingly, the Criminal Petition is allowed. The petitioner shall be released on bail on executing a personal bond for Rs.10,000/- (Rupees Ten Thousand only) with two sureties for the like sum each to the satisfaction of the learned XI Additional Metropolitan Magistrate, Gannavaram, Krishna District. The petitioner shall appear before the Station House Officer, concerned, on every Wednesday and Friday between 10.00 AM and 1.00 PM till filing of the charge sheet.

SD/-U.SRI DEVI

ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The XI Additional Metropolitan Magistrate Court, Gannavaram, Krishna District.
2. The Superintendent, Gannavaram Sub Jail, Krishna District.
3. The Station House Officer, Atkuru Police Station, Gannavaram, Krishna District.
4. One CC to Sri Kilaru Nithin Krishna Advocate [OPUC]
5. Two CCs to Public Prosecutor, High Court of AP [OUT]
6. One spare copy



HIGH COURT

SRKJ

DATED:01/05/2023

BAIL ORDER

CRLP.No.2989 of 2023

ALLOWED

