



IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

THURSDAY, THE ELEVENTH DAY OF MAY
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY

CRIMINAL PETITION NO: 3271 OF 2023

Between:

1. Gantyada Akhil Sai @ Kingmaker Narsimha Rao, Narsimha Rao, Aged 27 Years, R/o. D. No. 20-6-20, Duggivanipalem, Peda Gantyada, Visakhapatnam District.
2. Kārrimajji Jagadish, S/o. Chanda Naidu, Aged 23 Years, R/ o. D. No. 23-1-112, Swatantra Nagar, Near Hanuman Temple, Gajuwaka, Visakhapatnam District

...Petitioners/Accused Nos.2 and 3

AND

The State of AP, Rep. By its Public Prosecutor, High Court of A.P. At Amaravati Through Station House Officer, Air Port Police Station, Visakhapatnam District.

...Respondent

Petition under Sections 437 & 439 of Cr.P.C, praying that in the circumstances stated in the grounds filed in Criminal Petition, the High Court may be pleased to enlarge the Petitioners/Accused No.2 and 3 on regular bail in connection with Crime No.64 of 2023 of Air Port Police Station, Visakhapatnam District, dated 21-03-2023.

The petition coming on for hearing, upon perusing the Petition and the memorandum of grounds filed in support thereof and upon hearing the arguments of Sri Babuji Tenneti, Advocate for the Petitioner and of Special Asst. Public Prosecutor for the Respondent, the Court made the following;

ORDER:

HON'BLE SRI JUSTICE K. SREENIVASA REDDY

Criminal Petition No.3271 of 2023

Order:

This Criminal Petition, under Sections 437 and 439 of Cr.P.C., has been filed by the petitioners/A2 and A3, seeking regular bail, in Crime No.64 of 2023 of Airport Police Station, Visakhapatnam Commissionerate.

2. A case has been registered against the petitioners and others for the offence punishable under Section 20(b)(ii)(B) r/w 8(c) and 27A of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the NDPS Act') and Section 7(1), 14 of the Foreigners Act, 1946.

3. Case of the prosecution, in brief, is that on 21.03.2023, in between 00.30 hours to 01:30 hours, on receipt of credible information, the Inspector of Police, Airport Police Station Visakhapatnam, along with his staff and mediators, proceeded to the place in front of Durga Travels, NAD Junction, Visakhapatnam, and found A1 standing over there, who, on seeing police, tried to flee away, on which, he was caught by the police party and on questioning, he revealed that he came to Visakhapatnam and chatted with 1st petitioner, but he did not respond and later he purchased 400 grams of liquid ganja i.e. hash oil for Rs.60,000/- and dry ganja weighing 5 Kgs for Rs.55,000/- from A5. A1 further transferred amount of Rs.9000/- to A3 who in turn transferred the said amount to the petitioner herein. The contraband and other material was seized

under the cover of a mediators report and case was registered against the accused.

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

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

6. Heard. Perused the record.

7. The petitioners were arrested and sent to judicial custody on 20.03.2023 and since then they are in jail. The quantity of contraband allegedly seized from the possession of the accused is 400 grams of liquid ganja i.e. hash oil and dry ganja weighing 5 KGs, does not amount to commercial quantity. In view of the aforesaid facts and circumstances of the case, the petitioners can be released on bail.

8. Accordingly, the Criminal Petition is allowed. The petitioners/A2 and A3 shall be released on bail on each of them 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 VII Additional Metropolitan Magistrate, Visakhapatnam. The 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.

SD/- A.VIJAYA BABU
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The VII Additional Metropolitan Magistrate at Visakhapatnam.
2. The Superintendent, Central Prison, Visakhapatnam.
3. The Station House Officer, Air Port Police Station, Visakhapatnam District.
4. One CC to Sri. Babuji Tenneti, Advocate [OPUC]
5. Two CCs to Public Prosecutor, High Court of AP [OUT]
6. One spare copy.

MSB



HIGH COURT

SRK,J

DATED:11/05/2023

BAIL ORDER

CRLP.No.3271 of 2023

ALLOWED

