

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

THURSDAY, THE SIXTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY THREE -



:PRESENT:

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY

CRIMINAL PETITION NO: 460 OF 2023

Between:

Nagaraju, S/o Rajappa, age. 27 years, caste by Veerasyva,
Halladamadahalli village, Gundlupet Taluk, Chamarajunagar District,
Karnataka state.

...Petitioner/Accused No.1

AND

The State of Andhra Pradesh, Through Station House Officer, Tuni
Town Police Station, Represented by Public Prosecutor, High court of
A. P

...Respondent

Petition under Sections 437 & 439 of Cr.P.C, praying that in the
circumstances stated in the memorandum of grounds filed in Criminal Petition,
the High Court may be pleased to grant him bail on such terms and conditions
as deemed fit directing their enlargement in Crime No.125 of 2022 of Tuni
Town Police station and to pass such further orders deemed fit in the interest
of Justice.

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 Satyaveni Surakasula, 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.460 of 2023

Order:

This Criminal Petition, under Sections 437 and 439 of Cr.P.C., has been filed by the petitioner/Accused No.1, seeking regular bail, in Crime No.125 of 2022 of Tuni Town Police Station, Kakinada District.

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

3) Brief facts of the case are that, on 06.08.2022 at 06.00 A.M., on credible information regarding illegal transportation of Ganja, Sub-Inspector of Police, Tuni Police Station, along with his staff and mediators proceeded to NH-16 Road, Seetharamapuram Center, Tuni Town and while conducting vehicle checking, found A1 transporting 620 KGs of Ganja in Ashok Leyland Dost Goods Vehicle bearing No.KA 10 A 5207 from Narsipatnam to Chennai. On enquiry, he confessed that he purchased the said contraband from A2. The contraband along with other material was seized under the cover of a

mediators report and a case was registered against the accused. A1 was arrested and remanded to judicial custody on the even date and since then he is in judicial custody.

4) Heard. Perused the record.

5) The petitioner was arrested and sent to judicial remand on 06.08.2022. Statutory period of 180 days has completed and till today no charge sheet is filed. Learned Special Assistant Public Prosecutor submitted that police have filed extension petition, but there is any amount of ambiguity whether the petition is allowed or not.

6) In view of the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner/Accused No.1, on the following conditions.

(i) The petitioner/Accused No.1 shall be released on executing a personal bond for Rs.10,000/- (Rupees ten thousand only) with two sureties for a like sum each to the satisfaction of the learned Judicial Magistrate of First Class, Tuni, Kakinada District.

(ii) On release, the petitioner shall appear before the Station House Officer, concerned, once in a week i.e., on every

Sunday between 10.00 a.m. and 05.00 p.m., till filing of the charge sheet.

(iii) The petitioner shall not directly or indirectly contact or threaten the witnesses under any circumstances and any such attempt shall be construed as an attempt of influencing the witnesses and shall not tamper evidence and shall co-operate with the investigation.

It is made clear that the petitioner shall scrupulously comply with the above conditions and breach of any of the above conditions will be viewed seriously and prosecution is at liberty to move an application for cancellation of the bail.

7) Accordingly, the Criminal Petition is **allowed**.

Sd/- S. SRINIVASA PRASAD
ASSISTANT REGISTRAR

//TRUE COPY//

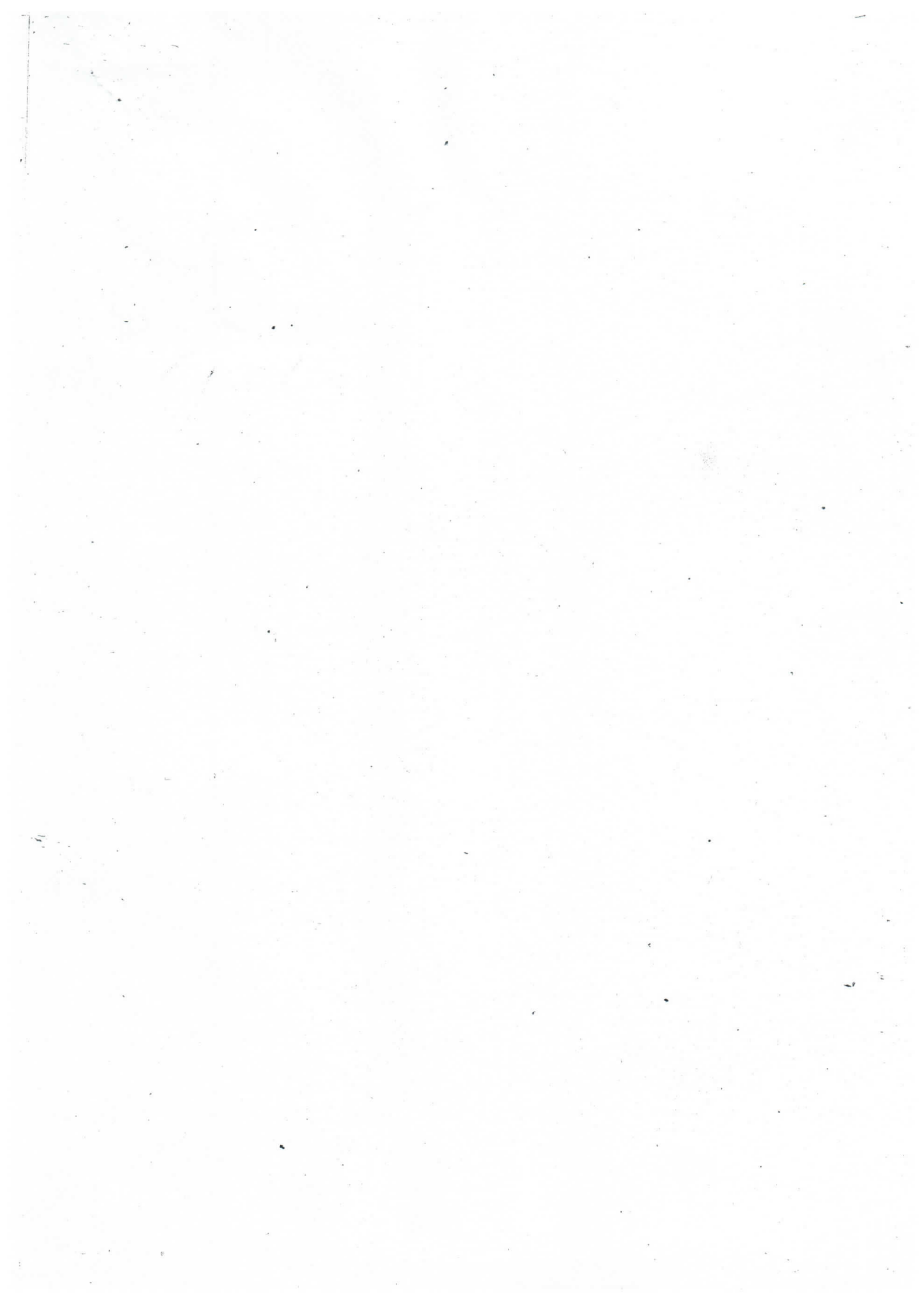
For

SECTION OFFICER

To,

1. The Judicial First Class Magistrate at Tuni, East Godavari District.
2. The Superintendent, Central Prison, Rajamahendravaram, East Godavari Dist
3. The Station House Officer, Tuni Town Police Station, East Godavari District.
4. One CC to Sri. Satyaveni Surakasula, Advocate [OPUC]
5. Two CC to Public Prosecutor, High Court of AP [OUT]
6. One spare copy.

MSB



HIGH COURT

SRK,J

DATED:16/02/2023

BAIL ORDER

CRLP.No.460 of 2023

ALLOWED

