

THE HON'BLE SRI JUSTICE K. SURESH REDDY

CRIMINAL PETITION Nos. 5240 and 5247 OF 2023

COMMON ORDER:

As both these Criminal Petitions arise out of the same Crime, they are being disposed of by way of this Common Order.

2. These Criminal Petitions, under Sections 437 and 439 of Cr.P.C., have been filed by the petitioners, seeking regular bail in Crime No.26 of 2023 of Srisailam II Town Police Station, Nandyal District,

3. Criminal Petition No.5240 of 2023 is filed by Accused Nos.3 and 4; whereas Criminal Petition No.5247 of 2023 is filed by Accused No.1.

4. The above Crime was registered against the petitioners herein and others for the offence punishable under Section 20(b)(ii)(A) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the NDPS Act').

5. Brief facts of the cases are that on 03.07.2023 at about 04.15 p.m., on receipt of the credible information, the Sub-Inspector of Police, Srisailam II Town Police Station along with staff and mediators apprehended A-1 and A-5 to A-9 near

Mutton Market, Rajiv Colony, Sunnipenta Village, Srisailam Mandal, and found 1.250Kgs of Ganja (1.200Kgs+50Grams) from the possession of A-1,A-5 to A-9 respectively. After conducting panchanama and after seizing the contraband, the Police arrested Accused Nos.1 and 5 to 9, who were remanded to judicial custody. On the same day, the Police arrested Accused Nos. 3 & 4 and seized 1.700Kgs of Ganja (1.100Kgs + 600Grams) from their possession.

6. The learned counsel for the petitioners contended that the contraband seized from the possession of all the three Accused is less than commercial quantity and further they are in judicial custody since 03.07.2023. As such, the learned counsel for the petitioners requested this Court to enlarge them on bail.

7. On the other hand, the learned Special Assistant Public Prosecutor, on written instructions, states that the petitioners were not involved in any other similar crimes previously.

8. This Court perused the entire material on record.

9. Taking into consideration the facts and circumstances of the case and as the contraband seized from the possession of all the three Accused is less than commercial quantity and

as they are in judicial custody since 03.07.2023, this Court is inclined to enlarge them on bail, on the following conditions.

(i) The petitioners in both these Criminal Petitions shall be released on bail on their executing personal bonds for Rs.25,000/-(Rupees twenty five thousand only) each with two sureties for a like sum each to the satisfaction of the learned Judicial First Class Magistrate, Atmakur, Nandyal District.

(ii) On release, the petitioners shall appear before the Station House Officer concerned, twice in a week i.e., on every Monday and Thursday between 10.00 a.m. and 01.00 p.m., until further orders.

(iii) Further, the petitioners are directed not to hamper the investigation and tamper with the prosecution witnesses.

10. Accordingly, these Criminal Petitions are allowed.

SRI K.SURESH REDDY, J

Date: 08.08.2023
RSI/TSNR

THE HON'BLE SRI JUSTICE K. SURESH REDDY

CRIMINAL PETITION Nos. 5240 and 5247 of 2023

Date: 08.08.2023.
RSI/TSNR