

**HON'BLE SRI JUSTICE K. SURESH REDDY**

**CRIMINAL PETITION Nos.5505 and 5506 of 2023**

**COMMON ORDER:**

As both criminal petitions arise out of FIR No.174 of 2023 of Chimakurthy Police Station, Prakasam District, they are being disposed of by way of this common order.

2) Crl.P.No.5505 of 2023 is filed by A.4 and Crl.P.No.5506 of 2023 is filed by A.6 & A.7, under Sections 437 and 439 of Cr.P.C. seeking to enlarge them on bail in the above crime, which was registered against the petitioners and others for the offences punishable under Sections 20(b), 8(c), 27(a) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

3) Case of the prosecution in brief is that, on 08.07.2023 at about 10.30 a.m., the Inspector of Police, Ongole Rural Circle, along with his staff and mediators apprehended all the accused near thorny bushes, Government Wine Shop, Marrichetlapalem village, Chimakurthy Mandal. It is alleged that A.1, A.9 and A.10 used to bring ganja from the border villages of Orissa State and they used to distribute it to A.2 to A.8 for selling. On the said date, the Inspector of Police, arrested all the accused, who were found in possession of different quantities of ganja i.e., total quantity seized from all the accused is 21 Kgs. After conducting *panchanama* and after seizing the contraband, all the accused were remanded to judicial custody subsequently.

4) Learned counsel for the petitioners contends that the contraband involved in the present crime is only 21 Kgs. and further the petitioners are in judicial custody

since 08.07.2023 and as such, he requests this Court to enlarge the petitioners on bail.

5) On the other hand, the learned Assistant Public Prosecutor opposed the bail application. Of course, he states that the petitioners were not involved in similar crimes previously.

6) This Court perused the entire material on record. Taking into consideration that the contraband involved in the present crime is 21 Kgs only and as the petitioners are in judicial custody since 08.07.2023, this Court is inclined to enlarge the petitioners on bail, on the following conditions.

(i) Petitioner/A.4 in Crl.P.No.5505 of 2023 and petitioners/A.6 & A.7 in Crl.P.No.5506 of 2023, shall be released on bail on their executing a personal bond for Rs.25,000/-(Rupees twenty five thousand only) each with two sureties for a like sum each to the satisfaction of the Special Judicial Magistrate of First Class (Excise Court), Ongole.

(ii) On such 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.

7) The three criminal petitions are allowed accordingly.

---

***Justice K. SURESH REDDY***

Date: 08.08.2023  
BSS

**HON'BLE SRI JUSTICE K. SURESH REDDY**  
**CRIMINAL PETITION Nos.5505 and 5506 of 2023**

**Date: 08.08.2023**

BSS