

HON'BLE SRI JUSTICE K. SURESH REDDY

CRIMINAL PETITION No.6021 of 2023

ORDER:

Accused Nos.5 and 9 in Crime No.26 of 2023 of Srisailam II Town Police Station, Nandyal District, filed the present criminal petition under Sections 437 and 439 of Cr.P.C., seeking to enlarge them on bail. The above Crime was registered against the petitioners herein and others for the offences punishable under Sections 20(b)(ii)(C) read with 8(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. 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 1.250 Kgs 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, 5 to 9, who were remanded to judicial custody subsequently.

3. The learned counsel for the petitioners contends that the contraband seized from the possession of Accused Nos.1, 5 to 9, is less than commercial quantity and the petitioners are in judicial custody since 03.07.2023. He further contends that Accused Nos.1, 3 and 4 were already released on bail and hence, he requested this Court to enlarge the petitioners/A.5 & A.9 also on bail.

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

5. This Court perused the entire material on record. Taking into consideration the facts and circumstances of the case and as the contraband seized from the possession of A.1, A.5 to A.9, is less than the commercial quantity and as the petitioners/A.5 & A.9 are in judicial custody since 03.07.2023, this Court is inclined to enlarge them on bail, on the following conditions.

(i) The petitioners/A.5 & A.9 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 Magistrate of First Class, 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.

6. Accordingly, the Criminal Petition is allowed.

Date: 23.08.2023

BSS

Justice K.SURESH REDDY

HON'BLE SRI JUSTICE K. SURESH REDDY

CRIMINAL PETITION No.6021 of 2023

Date: 23.08.2023

BSS