

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

MAIN CASE No: CrI.A.No.32 of 2022

PROCEEDING SHEET

Sl. No	DATE	ORDER	OFFICE NOTE
01.	06-01-2022	<u>LK,J</u> <u>I.A.No.1 of 2022</u> This petition is filed seeking to enlarge the petitioner/appellant/accused on bail by suspending the operation of sentence passed in SC NDPS No.8 of 2019 on the file of the Special Sessions Judge for Trial of Cases under the Narcotic Drugs and Psycotropic Substances Act, 1985-cum-I Additional Sessions Judge at Khammam, by judgment dated 17.01.2022. Heard. Learned counsel for petitioner Mr. V. Brahmaiah Cowdary, submits that as per the case of the prosecution, 3.5 kgs of ganja was seized in the present crime. He submits that the Court below has failed to appreciate the contention of the appellant that the police while conducting search and seizure have failed to follow the mandatory procedure as contemplated under the provisions of the NDPS Act and further, there is no compliance of Section 54 of the NDPS Act. Learned counsel further submits that as there are fair chances to succeed in the appeal and as this appeal is of the year 2022 and as there is no likelihood of hearing the appeal in the near future, he prays to enlarge the petitioner on bail by suspending the sentence of imprisonment. Taking into consideration the above submissions, the sentence of imprisonment imposed on the petitioner/accused by judgment dated 17.01.2022 in SC NDPS No.8 of 2019 on the file of the Special Sessions Judge for Trial of Cases under the Narcotic Drugs and Psychotropic Substances Act, 1985-cum-I Additional Sessions Judge at Khammam, alone is suspended pending disposal of Criminal Appeal, and the petitioner/accused shall be enlarged on bail on the same day on his executing a bond for a sum of Rs.20,000/- (Rupees twenty thousand only) with two sureties for a like sum each to the satisfaction of the I Additional Judicial First Class Magistrate at Khammam, subject to payment of fine amount by the petitioner/accused before the Court below. LK, J sj	<u>Note:</u> Transferred to i-order folder, before making corrections.

