

IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH

AT HYDERABAD

THURSDAY, THE TWENTY NINTH DAY OF MAY

TWO THOUSAND AND FOURTEEN

:PRESENT:

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

CRL.P. NO:5655 of 2014

Between:

Gadi Venkata Ramana S/o. Venkata Swamy,

..... Petitioner/Accused No.6

AND

The Station House Officer, Golugonda P.S., Visakhapatnam District, and State, Rep. by Public Prosecutor, High Court of A.P., Hyderabad.

.....Respondent

Petition under Section 438 of Cr.P.C., praying that in the circumstances stated in the petition and the grounds filed herein, the High Court may be pleased to enlarge the petitioner/ Accused No. 6 on bail in the event of his arrest by the respondent Golugonda P.S., Visakhapatnam District, in Cr. No. 9/2014.

The petition coming on for hearing, upon perusing the petition and the grounds filed herein and upon hearing the arguments of Sri G. Venkata Reddy, Advocate for the Petitioner and of the Public Prosecutor, for the Respondent, the Court made the following.

ORDER:

“This criminal petition is filed under Section 438 Cr.P.C. seeking anticipatory bail to the petitioner/A6 in connection with Crime No.9 of 2014 of Golugonda Police Station, Visakhapatnam District registered for the offences punishable under Section 20(b), 25, and 29 of NDPS Act.

Heard the learned counsel for the petitioner and learned Additional Public Prosecutor appearing for the respondent-State.

It is the case of the prosecution that A1 was apprehended with as much as 640 kgs of Ganja. The prosecution further alleged that A1 confessed the names of the petitioners as the persons, who purchased Ganja from the agency area and that Ganja was being transported to Tuni.

Learned Additional Public Prosecutor submitted that in view of the huge quantity involved in the case, it cannot be appropriate to enlarge the petitioner on anticipatory bail.

Learned counsel for the petitioner submitted that nothing was recovered from the petitioner and that the petitioner was not even arrested at the time of recovery of the contraband. He further submitted that case was foisted against the petitioner on the basis of the confessional statement of A1.

In view of the fact that the petitioner was not arrested along with A1 and has been impleaded on the basis of the confessional statement of A1, I consider it appropriate to enlarge the petitioner on anticipatory bail. However, in view of the huge quantity of contraband involved in this case, I consider it appropriate to enlarge the petitioner on anticipatory bail on certain conditions only.

Consequently, this Criminal Petition is allowed. The petitioner-A6 shall surrender before the jurisdictional Magistrate within two (2) weeks from today. On such surrender, the learned Magistrate shall enlarge the petitioner-A6 on bail on a bond of Rs.10,000/- (Rupees ten thousand only) with two sureties in a like sum each to his satisfaction. After his release, the petitioner-A6 shall appear before the Station House Officer, Golugonda Police Station, Visakhapatnam District, on every Monday, Wednesday and Friday between 9 am to 6 pm, for a period of three (3) months.”

— ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

1. The Addl. Judicial First Class Magistrate, Narsipatnam, Visakhapatnam
2. The Station House officer, Golugonda Police Station, Visakhapatnam District
3. Two CCs to Public Prosecutor, High Court of A.P., Hyderabad (OUT)
4. one CC to Sri G.Venkata Reddy, Advocate (OPUC)

5. One Spare Copy

HIGH COURT

AB
DRAFTED ON 29-5-2014

CKRJ

DATE: 29-5-2014

ORDER

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DIRECTION