

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

WEDNESDAY, THE TWENTY EIGHTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY

:PRESENT:

THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY
CRIMINAL PETITION NO: 5376 OF 2020

Between:

1. Nagoth Ignesh Raj, S/o Alexander.

Petitioner/Accused No.2

2. Miriyala Vishnu, S/o Venkanna,

Petitioner/Accused No.6

3. Dhara Karthik, S/o Srinu,

Petitioner/Accused No.7

AND

The State of Telangana, Rep through its Public Prosecutor, High Court for the State of
Telangana, Hyderabad.

Respondent/Complainant

Petition under Section 437 & 439 of Cr.P.C, praying that in the circumstances
stated in the grounds filed in support of the Criminal Petition, the High Court may be
pleased to grant bail to the petitioners in Crime No.298/2020, dated 12/08/2020, on the
file of P.S.Bhadrachalam

The petition coming on for hearing, upon perusing the Petition and the grounds
filed in support thereof and upon hearing the arguments of D RAMAKRISHNA Advocate
for the Petitioner and the Additional PUBLIC PROSECUTOR for the Respondent, the
Court made the following.

ORDER:

THE HON'BLE SRI JUSTICE B. VIJAYSEN REDDY

CRIMINAL PETITION No.5376 OF 2020

ORDER:

This Criminal Petition, under Section 439 of the Code of Criminal Procedure, 1973, is filed by the petitioners/A2, A6 and A7 seeking to grant regular bail in Crime No.298 of 2020 of Bhadrachalam Town Police Station, Bhadrachalam District, registered for the offence punishable under Section 8 (c) read with 20 (b) of N.D.P.S. Act.

2. Heard learned counsel for the petitioners/A2, A6 and A7 and the learned Additional Public Prosecutor appearing for the respondent/State and perused the record.

3. Learned counsel for the petitioners/A2, A6 and A7 would submit that the main accused i.e., accused No.1 in the said Crime was already granted regular bail by this Court in CrI.P.No.4191 of 2020, dated 18.09.2020.

4. Learned Additional Public Prosecutor does not dispute the said fact. However, the learned counsel submits that bail was granted to accused No.1 since he is a final year Engineering student and has to take examinations on 20.09.2020.

5. Admittedly, accused No.1 is granted bail. In the instant case, the car in which the contraband was kept was abandoned by the persons who came in the car. The car was abandoned at a distance

from Bhadrachalam Forest check post. On verification, plastic bags with ganja packed in brown colour plaster were found in the car. On verification of registered owner name, it was found that one Kondapalli Ravi Teja (accused No.1) is the owner of the vehicle. Further, in the course of investigation, it appears that police have apprehended A1 to A7 in the house of A4 at Ashok Nagar Colony, Bhadrachalam, and took all of them into custody and it is stated that on interrogation, the accused have confessed commission of the alleged offence. Though accused No.1 is granted bail on special grounds, this Court is of the opinion that since the vehicle was found to have been abandoned and accused persons were not in the vehicle and except confession statements of the petitioners/A2, A6 and A7, there is no other evidence to link the petitioners/A2, A6 and A7 to the subject crime, it is appropriate to grant bail to the petitioners/A2, A6 and A7.

6. Accordingly, the present Criminal Petition is allowed granting bail to the petitioners/A2, A6 and A7 with the following conditions:

- i) The petitioners/A2, A6 and A7 shall furnish personal bonds for an amount of Rs.15,000/- (Rupees fifteen thousand only) each with two (02) sureties each for like

sum each to the satisfaction of Judicial Magistrate of First Class, Bhadrachalam;

- ii) The petitioners/A2, A6 and A7 shall appear before the Station House Officer, Bhadrachalam Town Police Station, on every Wednesday between 10:00 AM and 05:00 PM, till completion of investigation and filing of charge sheet.
- iii) The petitioners/A2, A6 and A7 shall co-operate with the Investigating Officer.

As a sequel, miscellaneous petitions, if any, pending in this Criminal Petition shall stand closed.

//TRUE COPY//

SD/- M.MANJULA
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The Judicial Magistrate of the First Class at Bhadrachalam
2. The Superintendent Central Prison Khammam Jail.
3. The Station House Officer, Bhadrachalam Town Police Station, Bhadrachalam District.
4. One CC to SRI. D RAMAKRISHNA Advocate [OPUC]
5. Two CCs to PUBLIC PROSECUTOR, High Court at Hyderabad. [OUT]
6. One Spare Copy

HIGH COURT

BVRJ

DATED:28/10/2020



ORDER

CRLP.No.5376 of 2020

BAIL