

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.7502 OF 2022****ORDER:**

This Criminal Petition is filed under Section 438 of the Code of Criminal Procedure, 1973 seeking bail to the petitioner who is arrayed as Accused No.3 in the event of her arrest in Crime Occurrence Report No.250 of 2019 on the file of Prohibition and Excise Station, Dhoolpet registered for the offence punishable under Section 8(c) read with Section 20(b)(ii)(B) of NDPS Act.

2. Heard learned counsel for the petitioner/Accused No.3 and learned Assistant Public Prosecutor for the respondent-State. Perused the record.

3. The case of the Excise Police, Dhoolpet is that Accused Nos.1 and 2 were found in possession of 1 kg 1 gram of dry ganja. During the course of investigation, it has come to the knowledge of the police that this petitioner had sold the ganja to Accused Nos.1 and 2. Apart from the confession of Accused, there is no other investigation which is done by the police to implicate this petitioner.

4. Learned Assistant Public Prosecutor submits that there are no other cases pending against this petitioner.

5. Keeping in view that the petitioner is a woman and no cases are pending against her. Further the implication of this petitioner is only on the basis of the confession of the Accused No.1, she can be granted the relief of anticipatory bail.

6. Accordingly, the Criminal Petition is allowed and the petitioner/Accused No.3 shall be enlarged on bail in the event of her arrest subject to the following conditions:

i) The petitioner/Accused No.3 is directed to surrender before the Prohibition and Excise Station, Dhoolpet within ten days from today, and on such surrender, she shall be enlarged on bail on her executing personal bond for a sum of Rs.20,000/- (Rupees Twenty Thousand Only) with two sureties to the like sum each, to its satisfaction.

ii) The petitioner/Accused No.3 shall appear before the Station House Officer on every Monday between 10.30 AM and 01.00 PM for a period of eight (08) weeks and thereafter as and when required.

iii) The petitioner/Accused No.3 shall abide by the other conditions stipulated in Section 438(2) Cr.P.C.

Miscellaneous applications, pending if any, shall stand closed.

K.SURENDER, J

Date: 30.08.2022
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