

IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI

WEDNESDAY, THE TWENTY EIGHTH DAY OF JUNE
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE K SURESH REDDY

CRIMINAL PETITION NO: 3995 OF 2023



BETWEEN:-

M.N. Abdul Jaleel, S/o. M.A. Noor Mohammed, Aged about 35 years,
D.No.21/2, Vasantha Garden, Kunia Muttur Taluk, Coimbatore District, Tamil
Nadu State.

...Petitioner/Accused No.1

AND

The State of Andhra Pradesh, Rep., by Public Prosecutor, High Court of
Andhra Pradesh through S.H.O, Bangarupalem Urban P.S, Chittoor District.

...Respondent/Complainant

Petition under Sections 437 and 482 of CrI.P.C praying that in the
circumstances stated in the Memorandum of Grounds of Criminal Petition, the High
Court may pleased to seeking Anticipatory Bail to the Petitioner/Accused No.1 for
offence under 8 (c) r/w 20(b) (ii) (C) of Narcotic Drugs and Psychotropic Substance
Act-1985 in F.I.R. No.38 of 2023 of Bangarupalem Urban P.S. Tirupati District.

This Petition coming on for hearing, upon perusing the Memorandum of
Grounds of Criminal Petition and upon hearing the arguments of Sri.G.V.L. Murthy,
Advocate for the Petitioner and the Public Prosecutor, Andhra Pradesh on behalf of
the Respondent.

The Court made the following ORDER:

HON'BLE SRI JUSTICE K.SURESH REDDY

CRL.P.NO.3995 OF 2023

ORDER:-

This Criminal Petition, under Sections 437 and 439 of Cr.P.C., has been filed by the petitioner/A-1, seeking regular bail, in Crime No.38 of 2023 of Bangarupalem Urban Police Station, Chittoor District.

2. A case has been registered against the petitioner herein and others for the offences punishable under Sections. Section.20(b)(ii)(c) read with Section 8(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the NDPS Act').

3. Heard. Perused the record.

4. On a perusal of the material available on record, it goes to show that on 21-02-2023 at 2.00 P.M near Mahasamudram Toll Plaza, Chittoor-Palamaneru National Highway, the Inspector of Police, Bangarupalem Urban Police Station along with his staff and mediators apprehended petitioner/Accused No.1 and two others, who were found in possession of 96 kgs of Ganja. After conducting panchanama, all the three accused

were arrested and subsequently they were remanded to the judicial custody.

5. The learned counsel for the petitioner states that the petitioner/Accused No.1 is in jail since 21-02-2023 and, therefore, he seeks to enlarge the petitioner on bail.

6. *Per contra*, the learned Special Assistant Public Prosecutor, on instructions, states that the contraband seized from the possession of the petitioner and two others is 96 kgs, which is a commercial quantity. Further, the petitioner herein was also involved two other similar type of cases concerning to Cr.No.11 of 2022 of Kommaripalem Police Station and another case pertaining to Hasthampatti Police Station. He, therefore, urges this court to dismiss the bail application.

7. This Court perused the entire material available on record. As could be seen, the contraband seized from the possession of the petitioner and two others is 96 kgs, which is a commercial quantity. Further more, the petitioner was also involved in two other similar type of cases. In view of the

provisions of Section 37 of the NDPS Act, this court is not inclined to grant bail to the petitioner at this stage.

8. Accordingly, the Criminal Petition is dismissed.

SD/- K J RAJA BABU
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Station House Officer, Bangarupalem Urban P.S. Tirupati District.
2. One CC to Sri. G.V.L. Murthy, Advocate [OPUC]
3. Two CC to Public Prosecutor, Andhra Pradesh, at Amaravati. [OUT]
4. Two C.D Copies.

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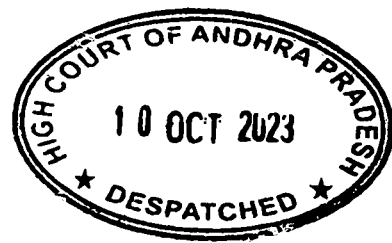
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HIGH COURT

DATED:28/06/2023

ORDER

CRLP.NO.3995 OF 2023



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DISMISSING THE CRIMINAL PETITION