

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

**FRIDAY, THE TWENTY NINTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY THREE**

PRESENT

HONOURABLE SRI JUSTICE K SURESH REDDY

CRIMINAL PETITION NO: 7248 OF 2023



Between:

Ravi Shankar, S/o.Mani, Age about 24 years, R/ o.NearPallivasal, Ganapathy,
Coimbatore, Tamil Nadu State.

...Petitioner/A5

AND

The State Of Andhra Pradesh, Rep. by its Public Prosecutor, High Court of
Andhra Pradesh at Amaravathi

...Respondent

Petition under Sections 437 & 439 of Cr.P.C is filed praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to release the petitioner/Accused No.5, on bail in connection with Crime No.172 of 2023, On the file of Annavaram Police Station, Kakinada District.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Kadiyam Neelakanteswara Rao, Advocate for the Petitioner and the Public Prosecutor on behalf of the Respondent.

The Court made the following:

HON'BLE SRI JUSTICE K. SURESH REDDY

CRIMINAL PETITION No.7248 of 2023

ORDER:

Accused No.5 in Cr.No.172 of 2023 of Annavaram Police Station of Kakinada District, filed the present criminal petition under Sections 437 and 439 of Cr.P.C., seeking to enlarge him on bail. The above crime was registered against the petitioner and others, for the offence punishable under Section 8(c) read with Section 20(b)(ii)(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Brief facts of the prosecution case are that, on credible information, on 17.07.2023 at about 01.45 p.m., the Sub Inspector of Police, Annavaram PS along with his staff and mediators, apprehended Accused Nos.1 to A.5 at Jam Oil Garden, NH-16 - Tuni to Rajamahendravram highway, who were found in possession of 22 Kgs of ganja. After conducting *panchanama*, after seizing the contraband, the police arrested all the five accused and remanded them to judicial custody subsequently.

3. The learned counsel for the petitioner contends that the petitioner was arrested on 17.07.2023 and ever since he is in judicial custody. He further contends that the contraband seized from all the five accused is only 22 kgs, which is a little bit higher than the commercial custody and as such, he requests this Court to enlarge the petitioner on bail.

4. On the other hand, the learned Assistant Public Prosecutor opposed the bail application, stating that the contraband seized from the petitioner and others is a commercial quantity.

5. This Court perused the entire material on record. As the contraband seized in the present case from all the five accused is 22 Kgs., which is a commercial quantity. In view of the provisions of Section 37 of the NDPS Act, this Court is not inclined to enlarge the petitioner on bail, at this stage.

6. Accordingly, the Criminal Petition is dismissed.

SD/- B. CHITTI JOSEPH
ASSISTANT REGISTRAR

ea

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SECTION OFFICER

To,.

1. The Judicial First Class Magistrate, Prathipadu, Guntur District.
2. The I Additional Sessions Judge, Rajamahendravaram, East Godavari District.
3. The Station House Officer, Annavaram Police Station, Kakinada District.
4. One CC to Sri, Kadiyam Neelakanteswara Rao Advocate [OPUC]
5. Two CCs to the Public Prosecutor, High Court Of Andhra Pradesh, Amaravathi[OUT]
6. THREE CD Copies

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HIGH COURT

DATED:29/09/2023

ORDER

CRLP.No.7248 of 2023

9 copies
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DISMISSING THE CRIMINAL PETITION