

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

MONDAY, THE THIRD DAY OF JULY
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE K SURESH REDDY

CRIMINAL PETITION NO: 4129 OF 2023



Between:

Vanthala Ramu, (A-1), S/o Boma, aged 35 years, R/at Vanagumma Village,
Makavaram Panchayathi Munchingiput Mandal, Alluriseetharamaraju District.

...Petitioner/Accused No.1

AND

State represented by the Station House Officer, Paderu Police Station,
Alluriseetharamaraju District, rep. by the Public Prosecutor, High Court of
A.P., Amaravathi

...Respondent/Complainant

Petition under Section 437 and 439 of Cr.P.C praying that in the
circumstances stated in the Memorandum of Grounds of Criminal Petition, the High
Court may be pleased to consider the same and release the petitioner on bail in
Cr.No. 49/2022 of S.H.O. Paderu Police Station, Alluri Seetha Rama Raju District.

This Petition coming on for hearing, upon perusing the Memorandum of
Grounds of Criminal Petition and upon hearing the arguments of Sri Gollapalli
Maheswara 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

CRL.P.No.4129 of 2023

ORDER:-

Accused No.1 in Crime No.49 of 2023 of Paderu Police Station, Alluri Sitharama Raju District, filed the present criminal petition, under Sections 437 and 439 of Cr.P.C., seeking to enlarge him on bail.

2. The above crime was registered for the offences punishable under Sections 20(b)(ii)(C) read with 8(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 [for short, 'the Act'].

3. The case of the prosecution, in brief, is that on 14.04.2023, the Sub-Inspector of Police, Paderu Police Station, along with his staff and mediators, apprehended the petitioner/Accused No.1 and Accused Nos.2 & 3, who were found in possession of 90 Kgs of Ganja. After conducting panchanama, the petitioner/Accused No.1 was arrested and he was remanded to judicial custody subsequently.

4. Learned counsel for the petitioner submits that the petitioner is in judicial custody since 15.04.2023 and requests this Court to enlarge the petitioner/Accused No.1 on bail.

5. On the other hand, learned Special Assistant Public Prosecutor opposed the bail application stating that the quantity of the contraband involved in the present crime is 90 Kgs and it is a commercial quantity.

6. This Court perused the entire material available on record. As the contraband seized from the possession of the petitioner/Accused No.1 is 90 Kgs, which is a commercial quantity, and in view of the bar prescribed under Section 37 of the Act, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the Criminal Petition is dismissed.

**SD/- T MADHAVI
ASSISTANT REGISTRAR**

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fn chsr
SECTION OFFICER

To

1. The Judicial First Class Magistrate Court at Paderu, Alluri Seetha Rama Raju District.
2. The Metropolitan Sessions Judge-cum-I Additional District and Sessions Judge – Special Judge for Trial of Offences under NDPS Act, Visakhapatnam, Visakhapatnam District.
3. The Station House Officer, Paderu police Station, Alluri Seetha Rama Raju District.
4. The Superintendent, Central Prison, Visakhapatnam, Visakhapatnam District.
5. One CC to Sri. Gollapalli Maheswara Rao, Advocate [OPUC]
6. Two CCs to The Public Prosecutor, High Court of Andhra Pradesh at Amaravathi [OUT]
7. **Two CD Copies**

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HIGH COURT

DATED:03/07/2023

ORDER

CRLP.No.4129 of 2023

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10/10/23



DISMISSING THE CRIMINAL PETITION