

**THE HON'BLE MS JUSTICE B.S.BHANUMATHI**

**Criminal Petition No.475 of 2023**

**ORDER:**

This Criminal Petition under Sections 437 and 439 of the Code of Criminal Procedure, 1973 ('CrPC'), is filed by petitioners/A3 to A7, in Crime No.18 of 2022 of Sileru Police Station, Alluri Seetharamaraju District, registered for the offence punishable under Section 20 (b)(ii) (c) read with Section 8(c) of N.D.P.S Act.

2. Heard *Ms. Samantha*, learned counsel representing Sri G. Maheswara Rao, learned counsel for the petitioners/A3 to A7 and the learned Assistant Public Prosecutor representing the respondent/State.

3. Learned counsel appearing for the petitioners submitted that charge sheet has not been filed till now by the Investigating Officer and that the period of (180) days was expired by yesterday, i.e., 02.02.2023 since the date of arrest of the petitioners on 06.08.2022.

4. Learned Assistant Public Prosecutor submitted that the investigation is completed in respect of petitioners herein, but charge sheet could not be filed as the analyst report is not received so far. He further submitted that petitioners 3 & 4/A5 & A6 are

residents of Maharashtra State and the 5<sup>th</sup> petitioner/A7 is resident of Haryana State and that it is difficult to secure their presence in case of their release on bail.

5. Since the petitioners are entitled to bail for want of filing of charge sheet within the statutory period which is not extended by any order of Court, the petitioners can be released on bail, however, subject to certain conditions.

6. Accordingly, the Criminal Petition is allowed. The petitioners/A3 to A7, namely, Killo Ganeswara Rao, Korra Muni, Irfan Ahamad Rafeeq Shek, Santhosh Balu Chakra Narayan and Dharam Beer, shall be released on bail on their furnishing personal bond each for a sum of Rs.50,000/- (Rupees fifty thousand only) with two sureties (one of whom must be local) for the like sum each, to the satisfaction of the learned Judicial First Class Magistrate, Chintapalli, Alluri Seetharamaraju District, and subject to complying the following conditions:

- i. The petitioners shall make themselves available for interrogation by the Investigating Officer or the police officer concerned as and when required.
- ii. The petitioners/A3 to A7 shall not directly or indirectly contact or threaten the witnesses under any circumstances and any such attempt shall be construed as an attempt of influencing the witnesses.

- iii. The petitioners/A3 to A7 shall co-operate with the investigation and shall attend before the Station House Officer, Sileru Police Station, on every Sunday between 10-00 A.M. and 5-00 P.M. starting from the day of their release until further orders or till charge sheet is filed, whichever is earlier.
- iv. The petitioners/A3 to A7 shall not leave the jurisdiction without prior permission of the Court concerned;

Pending miscellaneous applications, if any shall stand closed.

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**B.S.BHANUMATHI, J**

03-02-2023

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