

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

FRIDAY, THE FOURTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SMT JUSTICE JUVVADI SRIDEVI

CRIMINAL PETITION NO: 11757 OF 2024

Between:

Birju Upadhya, S/o. Warangal Upadhya, Aged about 43 years, Occ: Pvt. Employee, R/o. Hyderabad Road, Dindayal Nagar, Bidar, Karnataka.

...Petitioner / Accused No.5

AND

The State of Telangana, through P.S. Habeeb Nagar, Hyderabad. Rep by its Public Prosecutor, High Court at Hyderabad.

...Respondent / Complainant

Petition under Section 482 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to enlarge the Petitioner/Accused No.5 on bail in the event of his arrest in connection with Crime No. 313 of 2024 of P.S. Habeeb Nagar, Hyderabad.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri T.G. Suresh Lal, Advocate for the Petitioner and the Additional Public Prosecutor on behalf of the Respondent.

The Court made the following Order:-

HON'BLE SMT. JUSTICE JUVVADI SRIDEVI

CRIMINAL PETITION No.11757 of 2024

ORDER :

Apprehending arrest in Crime No.313 of 2024 of P.S.Habeeb Nagar, registered for the offences under Section 8(c) r/w. 22(b) of NDPS Act and Section 125 r/w. 3(5) of Bharatiya Nyaya Sanhita, the petitioner/accused No.5 has filed this petition.

2. Heard Sri T.G.Suresh Lal, learned counsel for petitioner and Sri M.Ramachandra Reddy, learned Additional Public Prosecutor, appearing for the State and perused the record.

3. The case of the prosecution is that the petitioner is possessing and selling the Psychotropic substance, namely, Nitrazepam tablets with brand name Nitravet-10 mg.

4. Learned counsel for petitioner/accused No.5 has submitted that the petitioner is innocent and he has been falsely implicated in this case.

5. The learned Additional Public Prosecutor, on the other hand, contended that the petitioner is a habitual offender and is

involved in 13 other cases, and hence, he is not entitled for anticipatory bail.

6. In view of the gravity of the offences alleged and also keeping in view the criminal antecedents of the petitioner, this Court is of the considered view that it is not a fit case for grant of anticipatory bail.

7. The petition is accordingly dismissed.

Pending miscellaneous applications, if any, shall stand closed.

//TRUE COPY//

Sd/- MOHD. ISMAIL
ASSISTANT REGISTRAR

SECTION OFFICER

To.

1. The Additional Chief Metropolitan Magistrate, Hyderabad.
2. The Station House Officer, Habeebnagar P.S., Hyderabad
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana, Hyderabad [OUT].
4. One CC to SRI T.G. Suresh Lal, Advocate [OPUC]
5. Two CD Copies

VC/DL

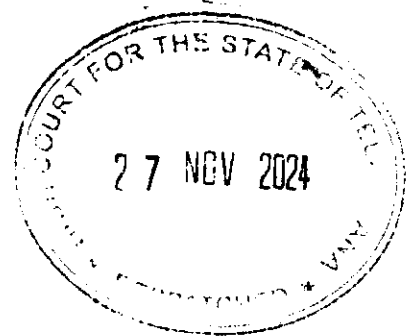


HIGH COURT

DATED:04/10/2024

ORDER

CRLP.No.11757 of 2024



DISMISSING THE CRLP

⑧
18/11/24
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