

**THE HONOURABLE SMT. JUSTICE K. SUJANA**

**CRIMINAL PETITION No.13476 of 2024**

**ORDER:**

Seeking the Court to enlarge the petitioners who are arrayed as accused Nos.1 to 3 in Crime No.130 of 2024 of Green Pharmacy Police Station, Rachakonda Commissionerate, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 19.10.2024, at 6:30 a.m., Sub-Inspector M. Tejam Reddy of Hyderabad Green Pharmacy Police Station received credible information that three individuals would transport opium and poppy straw from Hyderabad to Amazon Company in Begatikancha village via Kandukur between 9:30 and 10:00 a.m. The suspects were intercepted at Begurikancha service road, and upon questioning, they revealed their names as Suresh Kumar, Dinesh Kumar, and Sunil Kumar. They confessed to purchasing the narcotics from Mahender Mahendra Khileri in Hyderabad and intended to sell them to unknown individuals in Begarikancha village. The seized materials included 100

grams of opium, 150 grams of poppy straw powder, and 1,150 grams of poppy straw. The accused were apprehended, and their confession statements, along with seized property, were submitted to the police station.

3. Heard Sri Sabavat Sreenivas, learned counsel appearing on behalf of the petitioners as well as Sri Syed Yasar Manoon, learned Additional Public Prosecutor appearing on behalf of the respondents.

4. Learned counsel for the petitioners submitted that their arrest on 19.10.2024, for allegedly transporting narcotics was unlawful. The complaint filed by the 2nd respondent does not mention the presence of a photographer or videographer during the raid, suggesting that evidence may have been planted. He further submitted that the petitioners, welders and laborers by profession, were allegedly threatened and forced to confess and that two-and-a-half-hour gap between their apprehension and the conclusion of the panchanama raises suspicions. He contended that previously, their bail application was denied due to the involvement of accused No.4 and potential witness tampering. However, the petitioners claim no connection to Accused No.4 and submitted that their

continued detention is unjust, given the police's failure to apprehend accused No.4. With no prior criminal record, the petitioners are willing to face trial, abide by any bail conditions, and prove their innocence.

5. Learned Additional Public Prosecutor opposed the bail application of the petitioners submitting that the involvement of absconding Accused No.4, the supplier of the contraband, and the commercial nature of the petitioners' alleged offenses, pose a significant risk of evidence tampering if they are released on bail. Therefore, he prayed the Court to dismiss the bail petition.

6. Considering the arguments presented by both the learned counsel and the material on record, this Court observes that the seized quantity constitutes an intermediate amount. Learned Additional Public Prosecutor opposed the bail application based on potential witness influence and evidence tampering, yet acknowledging the official nature of the witnesses and absence of evidence linking petitioners to other similar offenses, this Court deems it appropriate to grant bail to the petitioners with the following conditions:

- i. The petitioners shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each, with two sureties for a like sum each to the satisfaction of the learned I Additional District and Sessions Judge, Ranga Reddy District at L.B. Nagar.
- ii. The petitioners shall appear before the concerned SHO at 11:00 a.m., on every Monday for a period of eight (8) weeks, for the purpose of investigation, and thereafter, as and when required.
- iii. The petitioners shall abide by the conditions stipulated in Section 437(3) of Cr.P.C.

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

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**K. SUJANA, J**

Date: 19.11.2024  
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