

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

**CRIMINAL PETITION No.15731 of 2024**

**ORDER:**

Seeking the Court to enlarge the petitioner who is arrayed as accused No.2 in SC NDPS No.275 of 2022 on the file of Metropolitan Sessions Judge, Hyderabad, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 25.02.2022, the Karkhana Police seized the contraband as the accused persons are buying and selling the contraband illegally to the general public in order to earn money in an ease manner and also registered a case vide Crime No.41 of 2022 before the Karkhana Police, Mahankali, Hyderabad, and after completion of the investigation, a charge sheet was filed vide SC NDPS No.275 of 2022 before the Metropolitan Sessions Judge, Hyderabad, for the offences punishable under Sections 8(c) read with 20(b)(ii)(B), 22(b) and 27 of NDPS Act.

3. Heard Sri K.K.Venkateswar Rao, learned counsel appearing on behalf of the petitioner as well as Sri Syed Yasar Manoon, learned Additional Public Prosecutor appearing on behalf of the respondent-State.

4. Learned counsel for the petitioner *firstly* submitted that the petitioner is innocent and he is no way concerned with the alleged offences. He *secondly* submitted that all the material witnesses were

examined, and further detention of the petitioner is unnecessary. He *thirdly* submitted that the petitioner has been in judicial custody since 25.02.2022, causing undue hardship to his family and that the allegations are false and fabricated. He *fourthly* submitted that the petitioner is willing to furnish sureties as directed. He *lastly* submitted that previously, bail applications of the petitioner, *vide* Crl.M.P.Nos.4819, 5224, 5371 and 5503 of 2024, were dismissed by the Metropolitan Sessions Judge, Hyderabad, on 22.10.2024, 19.11.2024, 27.11.2024 and 11.12.2024, respectively, without valid reasons and prayed the Court to grant bail to the petitioner by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner stating that there are serious allegations against the petitioner, therefore, granting bail to the petitioner, at this stage, does not arise. Hence, he prayed the Court to dismiss the criminal petition.

6. After considering submissions from both the parties and reviewing the record, it is apparent that the petitioner languishing in jail from 25.02.2022 and also the trial has not yet concluded till today. Hence, considered the same, this Court deems it fit to grant bail to the petitioner subject to the following conditions:

- i. The petitioner 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 Sessions Judge, Hyderabad.

- ii. The petitioner shall cooperate with the trial proceedings by appearing before the concerned Court whenever his presence is required as the trial started.
- iii. The petitioner shall abide by the conditions stipulated in Section 437(3) of Cr.P.C.(presently, Section 480(3) of the BNSS).

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

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**K. SUJANA, J**

Date: 26.12.2024

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