

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.116 of 2025

ORDER:

Seeking the Court to enlarge the petitioners who are arrayed as accused Nos.5 and 6 in Crime No.856 of 2024 of Shameerpet Police Station, Cyberabad, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 06.12.2024, the Shameerpet 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.856 of 2024 before the Shameerpet Police, Cyberabad, for the offences punishable under Sections 8(c) read with 20(b)(ii)(c), 27(A) and 29 of NDPS Act.

3. Heard Sri R.Thirupathi, learned counsel appearing on behalf of the petitioners as well as Sri Syed Yasar Manoon, learned Additional Public Prosecutor appearing on behalf of the respondent-State.

4. Learned counsel for the petitioners *firstly* submitted that the petitioners are innocent and they are no way concerned with the alleged offences. He *secondly* submitted that though there is no corroborative evidence, the petitioners

were implicated in the case with false and fabricated allegations. He *thirdly* submitted that all the material witnesses were examined, and further detention of the petitioners is unnecessary. He *fourthly* submitted that the petitioners have been in judicial custody since 06.12.2024, causing undue hardship to their families. He *lastly* submitted that the petitioners are residents of Odisha State, with movable and immovable properties, and are willing to furnish sureties as directed and prayed the Court to grant bail to the petitioners by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioners stating that the seized contraband is commercial quantity and also investigation is not yet completed, therefore, granting bail to the petitioners, 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 petitioners are implicated in the case as they were accompanying with accused No.1, who is in possession of the seized contraband. It is noteworthy that the petitioners accompanied accused No.1 only to get suitable jobs. Since the petitioners are languishing in jail from 06.12.2024 and also material part of

investigation is completed, this Court deems it fit to grant bail to the petitioners subject to 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 VII Additional Metropolitan Magistrate, Cyberabad at Medchal.
- ii. The petitioners shall appear before the concerned SHO at 11:00 a.m., on every Monday for a period of eight (8) week or till filing of charge sheet whichever is earlier, 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.(presently, Section 480(3) of the BNSS).

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 21.01.2025
gms

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