

**THE HONOURABLE SMT JUSTICE K. SUJANA**

**CRIMINAL PETITION No.832 of 2025**

**ORAL ORDER:**

The present Criminal Petition is filed praying this Court to enlarge the petitioner who is arrayed as accused No.2 in Crime No.321 of 2024 before the Narsampet Police Station, Warangal District, on bail.

2. The brief facts of the case are that on August 3, 2024, at 17:30 hours, Sub Inspector of Police Narsampet reported that during a vehicle check at Kamalapur Cross Road, two cars, a Zest and an Ertiga, were stopped, and upon inspection, 128 packets of dry ganja weighing 250.900 kg were seized. The drivers, petitioner/A2 and A4, fled the scene, while A1 was apprehended. Thereafter, a case was registered against the petitioner for the offences punishable under Sections 8(c) read with 20(b) (ii) (c) and 29 of the NDPS Act. Aggrieved thereby, this criminal petition is filed.

3. Heard Mr. P.Prabhakar Reddy, learned counsel for petitioner, and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for respondent – State.

4. Learned counsel for the petitioner submitted that the petitioner/accused A-2 is innocent and has been falsely implicated in the case. He contended that the search and seizure procedure was vitiated by inherent procedural impropriety, and the mandatory provisions of law were not followed, casting serious doubt on the investigation. He asserted that the petitioner has been in judicial custody since 03.08.2024 and though the investigation in the case is completed, no charge sheet is filed. Therefore, prayed this Court to grant bail to the petitioner by allowing this Criminal Petition.

5. Learned Additional Public Prosecutor submitted that the charge sheet is not filed and there are no other pending cases against the petitioner.

6. Having regard to the rival submissions made and on going through the material placed on record, it is noted that

the material part of the investigation is completed and the petitioner is in judicial remand since 03.08.2024 and till the charge sheet in the case is not filed. Considering the period of incarceration of petitioner in jail and the fact that the material investigation is already completed, this Court deems it fit to grant bail to the petitioner, subject to following the below conditions:

- i. The petitioner shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties for a like sum each, to the satisfaction of the Special Sessions Judge for NDPS cases (I Additional Sessions Judge) Warangal.
- ii. The petitioner 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 petitioner shall abide by the conditions stipulated in Section 482(2) of BNSS (previously known as 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: 30.01.2025  
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