

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.1360 of 2025

ORDER:

Seeking the Court to enlarge the petitioner who is arrayed as accused in Crime No.282 of 2024 of Maheshwaram Police Station, Rachakonda, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 29.07.2024, the Maheshwaram 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.282 of 2024 before the Maheshwaram Police, Cyberabad, for the offences punishable under Section 8(c) read with 20(b)(ii)(C) of NDPS Act.

3. Heard Sri. Y.Hema Chander, learned counsel appearing on behalf of the petitioner as well as Sri. Syed Yasar Mamoon, 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 she is no way concerned with

the alleged offences. He *secondly* submitted that the petitioner has to take care of her four years old baby. He *thirdly* submitted that though there is no corroborative evidence, the petitioner was implicated in the case with false and fabricated allegations. He *fourthly* submitted that all the material witnesses were examined, and further detention of the petitioner is unnecessary. He *fifthly* submitted that the petitioner has been in judicial custody since 29.07.2024, causing undue hardship to her family. He *sixthly* submitted that the petitioner is resident of Anakapally District, Andhra Pradesh State, with movable and immovable properties, and is willing to furnish sureties as directed. He *lastly* submitted that previously, bail application of the petitioner, *vide* Crl.M.P.No.2047 of 2023 was dismissed by the I Additional District and Sessions Judge, Ranga Reddy District at L.B.Nagar, on 11.09.2024, 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 the investigation is not yet completed, 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 there is no incriminating evidence to prove the alleged offence against the petitioner. It is noteworthy that the petitioner is languishing in jail from 29.07.2024 and material part of the investigation is completed. Therefore, considering the incarceration period, 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 I Additional District and Sessions Judge-Cum-Designated Court for the Trial of Offences under NDPS Act, Ranga Reddy District at L.B.Nagar.
- ii. The petitioner 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 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.

K. SUJANA, J

Date: 14.02.2025

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