

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.2173 of 2025

ORDER:

Seeking the Court to enlarge the petitioner in COR No.193 of 2024 of Ghatkesar Prohibition and Excise Police Station, Hyderabad, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 30.12.2024, the Ghatkesar Prohibition and Excise 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* COR No.193 of 2024 before the Ghatkesar Prohibition and Excise Police, Hyderabad, for the offences punishable under Section 8(c) read with 20(b)(ii)(B) of the NDPS Act.

3. Heard Sri Kavadi Naresh, 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 he is no way concerned with the

alleged offences. He *secondly* submitted that though there is no corroborative evidence, the petitioner was implicated in the case with false and fabricated allegations. He *thirdly* submitted that all the material witnesses were examined, and further detention of the petitioner is unnecessary. He *fourthly* submitted that the petitioner has been in judicial custody since 30.12.2024, causing undue hardship to his family. He *lastly* submitted that the petitioner is resident of Hyderabad, with movable and immovable properties, and is willing to furnish sureties as directed 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 seized contraband is commercial quantity and also 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 the petitioner is languishing in jail from 30.12.2024 and material part of investigation is also completed. Hence, 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.15,000/- (Rupees Fifteen Thousand only) each, with two sureties for a like sum each to the satisfaction of the Judicial First Class Magistrate 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: 21.02.2025
gms

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