

THE HON'BLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No. 2917 of 2025

ORDER:

This Criminal Petition is filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') by the petitioner, who arrayed as accused No.7, seeking bail in Crime No.1661 of 2024 of Miyapur Police Station, Cyberabad, for the offences punishable under Sections 8(c) read with Sections 22(b) and 27 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. Heard Sri P.Vikas Raj, learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for respondent-State.

3. The case of prosecution in brief is that on 08.12.2024 on receipt of information about the presence of accused in the flat bearing No.602, Pent House, Shareef Manzil Building, New Hafeezpet, Miyapur, police rushed there and apprehended accused Nos.4 and 7 to 10 and seized 17 grams of MDMA from accused No.4. Basing on the complaint, police registered a case for the offences under Sections 8(c) read with Sections 22(b)

and 27 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

4. Learned counsel for the petitioner submitted that the petitioner is an innocent person and he did not commit any offence as alleged against him. He further submitted that nothing was seized from the possession of the petitioner and remand case diary clearly shows that the police seized 17 grams of MDMA from accused No.4 but not from the petitioner and the police seized one cell phone from the petitioner.

5. He further submitted that accused Nos.1 and 2 were already released on bail and that the petitioner is in jail since 09.12.2024. He also submitted that the entire investigation is completed except filing of charge sheet and the petitioner is willing to cooperate with the investigation and abide by the conditions, which are going to be imposed by this Court. Therefore, he prays to release the petitioner on bail.

6. Per contra, learned Assistant Public Prosecutor submitted that the investigation is not yet completed and seizure of MDMA is a commercial quantity and therefore, prayed to dismiss the bail petition.

7. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that accused Nos.1 and 2 were already released on bail. The specific case of petitioner is that the contraband was seized from the possession of accused No.4. Moreover, the petitioner is in judicial custody since 09.12.2024. Therefore, taking into consideration the above said aspects, this Court is inclined to grant regular bail to the petitioner on the following conditions;

- i) The petitioner/accused No.7 is enlarged on bail on his executing 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 I Additional District and Sessions Judge, Ranga Reddy District at L.B.Nagar.
- ii) The petitioner/accused No.7 shall appear before the concerned S.H.O. at 11-00 A.M. on every Monday for a period of eight (8) weeks or till filing of charge sheet, whichever is earlier, for the purpose of investigation and thereafter, as and when required.
- iii) The petitioner/accused No.7 shall abide by the conditions stipulated under Section 437(3) of Cr.P.C. (presently 480(3) of BNSS).

8. Accordingly, the Criminal Petition is allowed.

As a sequel thereto, miscellaneous applications, if any, pending in this petition stand closed.

JUSTICE J.SREENIVAS RAO

Date: 10.03.2025

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