

THE HONONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.3178 of 2025

ORDER:

This Criminal Petition is filed under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhitha, 2023 (for short 'BNSS') seeking bail to the petitioner/accused No.6 in Crime No.69 of 2024 on the file of the P.S. Excise Secunderabad, registered for the offences punishable under Sections 8(c) r/w 22(C) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the Act').

2. The case of prosecution in brief is that on 30.10.2024, the Prohibition and Excise Inspector found accused Nos.1 to 3 in possession of Narcotic drug injections, without having any valid license or permit and seized the same. As per confessions of accused Nos.1 to 3, petitioner/accused No.6 gave the Narcotic Drug injections to them. Basing on the same a case was registered in Crime No.69 of 2024.

3. Heard Mr.G.Prem Kumar, learned counsel for the petitioner and Mr.Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent-State.

4. Learned counsel for the petitioner submitted that petitioner has not committed any offence and she was falsely implicated in the said crime. He further submitted that the petitioner was arrested on 30.10.2024 and since then she is in jail and when the petitioner is in judicial custody, her husband died on 12.11.2024. He further submitted that the petitioner is having three minor children and she is breadwinner of her family and if the petitioner is not released, her children will be put to irreparable loss and hardship. He further submitted that entire investigation in the case is completed, except filing of charge sheet and accused Nos.1 and 2 in the said crime were already released on bail. He further submitted that the petitioner is ready to cooperate with the investigation and also ready to abide the conditions, which are going to be imposed by this Court and hence, prayed for grant of bail.

5. *Per contra*, learned Additional Public Prosecutor submitted that petitioner/accused No.6 has committed grave offence under Sections 8(c) r/w 22(C) of the Act. He further submitted that the investigation is under progress and at this stage, the petitioner is not entitled for grant of bail.

6. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that the petitioner was arrested on 30.10.2024 and since then she is in jail and when she was in judicial custody, her husband died on 12.11.2024 and the petitioner is having three minor children. It is also pertinent to mention that accused Nos.1 and 2 in the said crime were already released on bail.

7. Taking into consideration of the facts and circumstances of the case and submissions made by the respective parties, this Court is inclined to grant bail to the petitioner/accused No.6, subject to the following conditions:

(i) The petitioner/accused No.6 shall execute a personal bond for a sum of Rs.40,000/-(Rupees Forty Thousand only) with two sureties for a like sum each to the satisfaction of XXII Additional Chief Judicial Magistrate, Nampally, Hyderabad.

(ii) The petitioner/accused No.6 shall appear before the concerned SHO 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.6 shall abide by the conditions stipulated in Section 483 (3) of BNSS.

7. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

JUSTICE J.SREENIVAS RAO

Date: 11.03.2025
vsl