

THE HON'BLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.3179 of 2025

ORDER:

This criminal petition is filed by the petitioner/A3 under Sections 480 and 483 of Bharatiya Nagrik Suraksha Sanhita (BNSS) to enlarge him on bail in Crime No.437 of 2024 of Shamshabad Police Station, Cyberabad, for the offence punishable under Section 8(c) read with 17(C), 27, 29 of the Narcotic Drugs And Psychotropic Substances Act, 1985 (for short, "the NDPS Act").

2. Heard Sri D. Robart Son, learned counsel representing Sri R. Thirupathi, learned counsel for the petitioner, and learned Additional Public Prosecutor for the respondent.

3. The case of the prosecution is that on 28.06.2024 on reliable information the police conducted raid and seized contraband of 618 grams of Heroine. Basing on the same, the police registered a complaint against the petitioner and other accused.

4. Learned counsel for the petitioner submits that the petitioner has not committed the offence and he was implicated basing upon the confession statement given by A1 only. He further submits that the contraband was seized from A1 and A2 only and that the petitioner was arrested through PT warrant and since then he was in judicial custody and the petitioner is ready to cooperate with the investigation and also abide by the conditions that are going to be imposed by this Court.

5. Per contra, learned Additional Public Prosecutor submits that the investigation is in progress and therefore, the petitioner is not entitled for grant of bail.

6. Having considered the rival submissions made by both the parties and after perusal of the material available on record, it reveals that the petitioner was made an accused basing upon the confession statement of Accused Nos.1 and 2 and he was arrested on 08.01.2025 through PT warrant. The record also reveals that the contraband was seized from Accused Nos.1 and 2.

7. Taking into consideration the facts and circumstances of the case and that the petitioner was in judicial custody since

08.01.2025, this Court is inclined to grant bail to the petitioner on the following conditions:

(1) The petitioner/A3 is enlarged on bail on executing a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousands only) with two sureties for a like sum each to the satisfaction of Metropolitan Sessions Judge for Cyberabad at L.B. Nagar.

(2) The petitioner 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.

(3) The petitioner shall abide by the conditions stipulated in Section 437(3) of Cr.P.C. (presently, Section 480(3) of the BNSS).

8. Accordingly, the criminal petition is allowed.

Pending miscellaneous applications, if any, shall stand closed.

JUSTICE J.SREENIVAS RAO, J

Date: 10.03.2025
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