

The Hon'ble Sri Justice J.Sreenivas Rao

Criminal Petition No.3667 of 2025

Order:

This Criminal Petition is filed by the petitioner/accused No.13 seeking anticipatory bail under Section 482 of Bharatiya Nagrik Suraksha Sanhita (BNSS), in connection with Crime No.231 of 2024 of Gummadidal Police Station, Sangareddy District, registered for the offence punishable under Section 8(c) r/w 21(c) and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

2. Heard Mr. S.Sudarshan, learned counsel for the petitioner and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent/State.

3. The case of the prosecution is that on 31.12.2024, the Sub-Inspector of Police, Gummadidal Police Station, on reliable information regarding illegal transportation of Alprazolam at Toll gate at Gummadidala, along with his staff

reached Toll gate and conducted vehicle checking, during the course of which found an unregistered bike driven by the petitioner coming from Narsapur side and on seeing the police, the petitioner tried to fled away and the police caught him and on enquiry, he admitted that he has been carrying 350 grams of Alprazolam and on his confession, seized the Alprazolam from him and other accused in the crime in the presence of panchas and registered the aforesaid case against the petitioner and others.

4. Learned counsel for the petitioner/accused No.13 submits that the petitioner has not committed the alleged offence and he was falsely implicated in the aforesaid crime. He further submitted that the contraband was seized from accused No.1 only and the ingredients of NDPS Act are not applicable to the petitioner. He further submitted that the contraband seized from accused No.1 and others is 1.010 kgs of Alprazolam, which is an intermediate quantity and the

petitioner is not involved in any other crime and prays to grant anticipatory bail to him as he is ready to cooperate with the investigating officer for investigation and abide by the conditions that may be imposed by the Court.

5. Per contra, learned Additional Public Prosecutor submits that the investigation is not completed and and if the petitioner/accused No.13 is granted anticipatory bail at this stage, there is every chance of his influencing the witnesses and interfering with the investigation. Hence, he prays to dismiss this criminal petition.

6. Heard learned counsel for the parties and perused the record.

7. Since the contraband seized from the petitioner and other accused in the aforesaid crime is intermediate quantity and the petitioner is accused No.13 in the said crime and he is not involved in any other crime, this Court is inclined to grant

anticipatory bail to the petitioner/accused No.13 subject to the following conditions:

- (i) Petitioner/accused No.13 is directed to surrender before the Station House Officer, Gummadidala Police Station, Sangareddy District, on or before 29.03.2025;
- (ii) On such surrender, the Station House Officer Gummadidala Police Station, Sangareddy District, shall release the petitioner/accused No.13 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 likesum each to the satisfaction of the said Officer;
- (iii) On such release, petitioner/accused No.13 shall appear before the Station House Officer, Gummadidala Police Station, Sangareddy District, on every Monday at 11:00 a.m., for a period of eight weeks for the purpose of investigation and thereafter, as and when required by the police for investigation.
- (iv) Petitioner/accused No.13 shall abide by the conditions stipulated under Section 438(2) of the Criminal Procedure Code, 1973/Section 482 of

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BNSS and shall cooperate with the investigation officer for conclusion of investigation.

8. Subject to the above directions, the Criminal Petition is allowed. No costs.

As a sequel, miscellaneous petitions, pending if any, stand closed.

Date: 24.03.2025
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J.SREENIVAS RAO, J