

THE HON'BLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION Nos.4267 & 4463 of 2025

COMMON ORDER:

These criminal petitions are filed by the petitioners/A2 and A3 respectively under Sections 480 and 483 of Bharatiya Nagrik Suraksha Sanhita (BNSS) to enlarge them on bail in Crime No.1432 of 2024 of Meerpet Police Station, Ranga Reddy District, registered for the offence punishable under Section 8(c) read with Sections 15(C) and 29 of the Narcotic Drugs And Psychotropic Substances Act, 1985 (for short, "the NDPS Act").

2. The case of the prosecution is that on 15.12.2024, on receipt of credible information that three persons were in possession of Poppy straw at Plot No.101, Ashok Reddy Colony, Badangpet, Meerpet, the seizing officer visited the said place and seized the contraband of 53.6 Kgs of Poppy Straw from the petitioners and other accused. Basing on the said complaint, Crime No.1432 of 2024 was registered for the above said offence.

3. Heard Sri J. Naresh Kumar, learned counsel for the petitioners, and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent.

4. Learned counsel for the petitioners submits that the petitioners have not committed the offence and they were falsely implicated in the present crime. He further submits that the police seized the contraband from other accused and there are no specific allegations against the petitioners to attract the ingredients of the provisions of the NDPS Act. He further submits that the petitioners were arrested on 15.12.2024 and since then they were in judicial custody and that they are ready and willing to cooperate with the investigation and also abide by the conditions that are going to be imposed by this Court. He further submits that material part of investigation is completed and the petitioners are not having any criminal antecedents.

5. Per contra, learned Additional Public Prosecutor submits that the petitioners have committed grave offence and the contraband seized from the petitioners and other accused is a commercial quantity and that investigation is

under progress. At this stage, the petitioners are not entitled for grant of bail. However, he has not disputed that the petitioners are not having any criminal antecedents.

6. Having considered the rival submissions made by both the parties and after perusal of the material available on record, it reveals that the petitioners were arrested on 15.12.2024 and since then they are in judicial custody and according to the learned Additional Public Prosecutor the petitioners are not having any criminal antecedents and are not involved in any other crime, including similar offence.

7. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant bail to the petitioners on the following conditions:

- (1) The petitioners/A2 and A3 are enlarged on bail on executing personal bond for a sum of Rs.30,000/- (Rupees Thirty Thousands only) each with two sureties for a like sum each to the satisfaction of the VI Additional Metropolitan Magistrate at L.B. Nagar.

(2) The petitioners/A2 and A3 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) After release, if the petitioners commit the very same offence, the respondent State is granted liberty to file an application for cancellation of the bail.

(4) The petitioners/A2 and A3 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 petitions are allowed.

Pending miscellaneous applications, if any, shall stand closed.

JUSTICE J.SREENIVAS RAO, J

Date: 04.04.2025
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