

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.4391 of 2025

ORDER:

This Criminal Petition is filed under Section 482 of the Bharatiya Nagarika Suraksha Sanhita, 2023 (for short, 'BNSS') seeking anticipatory bail to the petitioner/accused No.12 in Crime No.231 of 2024 of Gummadidala Police Station, Sangareddy District, registered for the offence punishable under Sections 8(c) read with Section 22(c) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

2. The case of prosecution in brief is that on 31.12.2024, the Sub-Inspector of Police, Gummadidala 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 being driven by the petitioner coming from Narsapur side and on seeing the police, accused No.13 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.

3. Heard Mr.S.Chandrashekhar Yadav, learned counsel for the petitioner and Mr.Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent-State.

4. Learned counsel for the petitioner/accused No.12 submitted 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 the petitioner 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 submitted that the investigation is not yet completed and if the petitioner/accused No.12 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. Having considered the rival submissions made by respective parties and after perusal of the material available on record, it reveals that since the contraband seized from the accused in the aforesaid crime is intermediate quantity and the petitioner, who is accused No.12 in the said crime is not involved in any other crime, this Court is inclined to grant anticipatory bail to the petitioner/accused No.12 subject to the following conditions:

- (i) Petitioner/accused No.12 is directed to surrender before the Station House Officer, Gummadidala Police Station, Sangareddy District, on or before 10.04.2025;
- (ii) On such surrender, the Station House Officer Gummadidala Police Station, Sangareddy District, shall release the petitioner/accused No.12 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 said Officer;
- (iii) On such release, petitioner/accused No.12 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.12 shall abide by the conditions stipulated under Section 438(2) of the Criminal Procedure Code, 1973/Section 482 of BNSS and shall cooperate with the investigation officer for conclusion of investigation.

7. Accordingly, the Criminal Petition is allowed. No costs.

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

J.SREENIVAS RAO, J

Date: 03.04.2025.

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