

The Hon'ble Sri Justice J.Sreenivas Rao

Criminal Petition No.4815 of 2025

Order:

This Criminal Petition is filed under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhitha, 2024 (for short 'BNSS') seeking bail to the petitioners/accused Nos.3, 4 and 5 in Crime No.18 of 2025 on the file of the Municipally Police Station, Sangareddy District, registered for the offences punishable under Section 8(c) r/w Section 20(b)(ii)(C) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the NDPS Act').

2. The case of the prosecution is that on 30.01.2025 at about 11:25 hours, on receipt of credible information about illegal transportation of dry ganja, the Sub-Inspector of Police, Municipally Police Station, along with his staff conducted vehicle check at Deccan Toll gate and apprehended accused Nos.1 to 9, who were illegally transporting dry ganja in commercial quantity from Odisha State to Maharashtra and other places in

Bolero Vehicle bearing registration No.OD02BT 2873 and also in Swift Car bearing registration No.MH 45 AU 1747 and seized 32 Kgs of dry ganja. Based on the same, the aforesaid crime was registered against the accused.

3. Heard Mr. Ravuri Sai Sumanth, learned counsel for the petitioners/accused Nos.3, 4 and 5 and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent-State.

4. Learned counsel for the petitioners submitted that petitioners were falsely implicated in the present crime and the contraband was seized from the other accused and the ingredients of Section 8(c) r/w Section 20(b)(ii)(C) of the NDPS Act are not applicable to the petitioners. He further submits that the petitioners were arrested on 30.01.2025 and since then they were in judicial custody and the material part of the investigation was already completed, except filing of the charge sheet and the petitioners have no criminal antecedents.

He, therefore, prays that the petitioners be granted bail and they are ready to cooperate with the investigation and also abide by the conditions as may be imposed by this Court.

5. Per contra, learned Additional Public Prosecutor submitted that the contraband seized from the petitioners/accused Nos.3, 4 and 5 is 32 kgs of dry ganja, which is a commercial quantity and the investigation is under progress and at this stage, the petitioners are not entitled for grant of bail.

6. Having considered the rival submissions made by learned counsel for the parties and on perusal of the material available on record, it reveals that the petitioners were arrested on 30.01.2025 and since then, they were in judicial custody and no criminal antecedents are reported against them except this crime.

7. In view of the same, this Court is inclined to grant bail to the petitioners/accused Nos.3, 4 and 5, subject to the following conditions:

- (i) Petitioners/accused Nos.3, 4 and 5 shall execute a personal bond for a sum of Rs.30,000/- (Rupees Thirty Thousand only) each with two sureties for a like sum each to the satisfaction of the I Additional District and Sessions Judge, Sangareddy District.
- (ii) On such release, the petitioners/accused Nos.3, 4 and 5 shall appear before the concerned Station House Officer 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 petitioners/accused Nos.3, 4 and 5 shall abide by the conditions stipulated in Section 483 (3) of BNSS.
- (iv) It is made clear that after release, if the petitioners/accused Nos.3, 4 and 5 involve in similar offences, the bail granted by this Court shall be cancelled.

8. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

Date: 11.04.2025
LUR

J.SREENIVAS RAO, J