

The Hon'ble Sri Justice J.Sreenivas Rao

Criminal Petition No.4823 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 petitioner/accused No.3 in Crime No.1221 of 2024 on the file of Chandanagar Police Station, Cyberabad, registered for the offences punishable under Section 8(c) r/w Section 20(b)(ii) and 9(c) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the NDPS Act').

2. The case of the prosecution is that on 29.11.2024 at about 23:00 hours, on receipt of credible information about illegal transportation of dry ganja, the Sub-Inspector of Police, Chandanagar Police Station, along with his staff conducted vehicle check at Hanuman Temple, Gangaram, and apprehended petitioner/accused No.3 and other accused, who were illegally transporting dry ganja in commercial quantity

from R.C.Puram to Chandanagar in Mahindra XUV 300 Car bearing registration No.TS22H5068 and seized 57 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 petitioner/accused No.3 and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent-State.

4. Learned counsel for the petitioner submits that the petitioner has not committed any offence and he was falsely implicated in the present crime and the contraband was purchased by accused No.1 in the aforesaid crime and the same was seized from accused No.1 only and the petitioner has only escorted accused No.1 and therefore, the ingredients of Section 8(c) r/w Section 20(b)(ii) and 9(c) of NDPS Act are not applicable to the petitioners. He further submits that the petitioner was arrested on 30.11.2024 and since then he is in

judicial custody and the material part of the investigation was already completed, except filing of the charge sheet and the petitioner has no criminal antecedents. He, therefore, prays that the petitioner be granted bail and he is 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 petitioner/accused No.3 and other accused is 57 kgs of dry ganja, which is a commercial quantity and the petitioner and other accused in the aforesaid crime are involved in grave offence and the investigation is in progress and at this stage, the petitioner is 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 petitioner was arrested

on 30.11.2024 and since then, he is in judicial custody and no criminal antecedents are reported against him except this crime.

7. In view of the same, this Court is inclined to grant bail to the petitioner/accused No.3, subject to the following conditions:

- (i) Petitioner/accused No.3 shall execute a personal bond for a sum of Rs.50,000/-(Rupees Fifty Thousand only) with two sureties for a like sum each to the satisfaction of the I Additional District and Sessions Judge, Ranga Reddy District.
- (ii) On such release, the petitioner/accused No.3 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 petitioner/accused No.3 shall abide by the conditions stipulated in Section 483 (3) of BNSS.
- (iv) It is made clear that after release, if the petitioner/accused No.3 involves 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
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J.SREENIVAS RAO, J