

The Hon'ble Sri Justice J.Sreenivas Rao
Criminal Petition No.4817, 4824 and 4825 of 2025

Order:

Criminal Petition Nos.4817, 4824 and 4825 of 2025 are filed under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhitha, 2024 (for short 'BNSS') seeking bail to the petitioners/accused Nos.1 to 3 respectively in Crime No.55 of 2025 on the file of Allapur Police Station, Cyberabad, registered for the offences punishable under Section 8(c) r/w Sections 22(c) and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the NDPS Act').

2. Since these three criminal petitions arise out of the same crime, they are heard together and disposed of by way of common order.

3. The case of the prosecution is that on 03.02.2025 at about 09:30 hours, on receipt of credible information that three persons were in possession of Narcotic drugs for sale in Sai

Nilayam Apartment in Road No.10, Vivekanandanagar, Allapur, the Sub-Inspector of Police, Allapur Police Station, along with his staff went to the said premises and apprehended the petitioners and other accused and seized 14.60 grams of MDMA from them. Based on the same, the aforesaid crime was registered against the accused.

4. Heard Mr. T.Akhil Raj, learned counsel representing Mr. B.Keshav Yadav, learned counsel for the petitioners/accused Nos.1 to 3 and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent-State.

5. Learned counsel for the petitioners submitted that petitioners have not committed the offence and they were falsely implicated in the present crime and the Police have not followed the mandatory procedure prescribed under the NDPS Act. He further submits that the petitioners were arrested on 04.02.2025 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.

6. Per contra, learned Additional Public Prosecutor submitted that the contraband seized from the petitioners/accused Nos.1 to 3 is 14.60 grams of MDMA, which is a commercial quantity and the investigation is in progress and at this stage, the petitioners are not entitled for grant of bail.

7. 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 04.02.2025 and since then, they were in judicial custody and even according to the learned Additional Public Prosecutor, the

petitioners are not involved in any other offences including similar offences.

8. In view of the same, this Court is inclined to grant bail to the petitioners/accused Nos.1 to 3, subject to the following conditions:

- (i) Petitioners/accused Nos.1 to 3 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 Junior Civil Judge –cum- XII Additional Metropolitan Magistrate, Medchal-Malkajgiri District at Kukatpally.
- (ii) On such release, the petitioners/accused Nos.1 to 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 petitioners/accused Nos.1 to 3 shall abide by the conditions stipulated in Section 483 (3) of BNSS.

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(iv) It is made clear that after release, if the petitioners/accused Nos.1 to 3 involve in similar offences, the bail granted by this Court shall be cancelled.

9. 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