

THE HON'BLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.5010 of 2025

ORDER:

This criminal petition is filed by the petitioner/A-3 under Sections 480 and 483 of Bharatiya Nagrik Suraksha Sanhita (BNSS) to enlarge him on bail in Crime No.1008 of 2024 of Film Nagar Police Station, Hyderabad, registered for the offence punishable under Section 8(c) read with Sections 22(c), 27 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 27.12.2024, on receipt of credible information, the Sub-Inspector of Police, Film Nagar Police Station, along with his staff proceeded towards Graveyard beside Kotta Cheruvu, Ambedkar Nagar, Film Nagar, Hyderabad and apprehended the A-1 and A-2 along with petitioner herein and seized 17.380 grams of MDMA and recorded their confession, wherein involvement of Accused Nos.4 to 13 came into light.

Basing on the said complaint, a case in Crime No.1008 of 2024 was registered for the above said offences.

3. Heard Sri Mohd. Baseer Riyaz, learned counsel representing Sri Md. Khurram Rabbani, learned counsel for the petitioners, and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent.

4. Learned counsel for the petitioner submits that the petitioner has not committed the offence and he was falsely implicated in the present crime. He further submits that even according to the allegations leveled in the complaint, the contraband seized from the petitioner and other accused is below commercial quantity and the material part of investigation is completed. He further submits that the petitioner were arrested on 27.12.2024 and since then he was in judicial custody and that he is 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 the petitioner is not accused in any other case, including similar offence. Learned counsel for the petitioner submits that on the very same allegations

A-1 and A-2 in the present crime have approached this Court and filed CrI.P.No.3966 of 2025 for grant of regular bail and the same was allowed on 26.03.2025 and further submits that the petitioner is also entitled for the very same relief.

5. Per contra, learned Additional Public Prosecutor submits that the petitioner has committed grave offence and the investigation is under progress. Therefore, at this stage, the petitioner is not entitled for grant of bail. However, he has not disputed that the petitioner has not involved in any other crime.

6. Having considered the rival submissions made by both the parties and after perusal of the material available on record, it reveals that the petitioner was arrested on 27.12.2024 and since then he is in judicial custody and that he is not involved in any other crime.

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

(1) The petitioner/A-3 is enlarged on bail on executing a personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousands only) each with two sureties for a like sum each to the satisfaction of the I Additional Sessions Judge, Hyderabad.

(2) The petitioner/A-3 shall appear before the concerned SHO at 11:00 A.M. on every Monday commencing from 23.04.2025 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) The petitioner/A-3 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 petition is allowed.

Pending miscellaneous applications, if any, shall stand closed.

JUSTICE J.SREENIVAS RAO, J

Date:17.04.2025
VRKS