

THE HON'BLE SRI JUSTICE J.SREENIVAS RAO

CRIMINAL PETITION NO. 5105 OF 2025

ORDER:

This Criminal Petition is filed by the petitioner/A3 seeking anticipatory bail under Section 482 of Bharatiya Nagrik Suraksha Sanhita (BNSS), in connection with C.O.R.No.19 of 2025 on the file of Prohibition and Excise Station, Malkajgiri, registered for the offences punishable under Section 8(c) read with Section 22(B) of NDPS Act.

2. Heard Sri P. Siddharth, learned counsel, representing Sri P. Shrinath, learned counsel for the petitioner, and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for respondent.

3. The case of the prosecution is that on receipt of credible information, on 28.03.2025 at 12:38 p.m., STF Hyderabad team conducted raids at Sri Satya Sai Garage, H.No.24-6/A/1, beside Shivalayam Temple, R.K. Nagar, Malkajgiri and found one person in illegal possession and sale of MDMA strips and seized 3.39 grams of MDMA drug. Basing on the said complaint, the present crime has been filed for the above said offences.

4. Learned counsel for the petitioner submits that the petitioner has not committed any offence and he was falsely implicated in the present crime basing on the confessional statement given by Accused No.1. He further submits that the police seized the contraband, namely 3.39 grams of MDMA, which is intermediate quantity, from other accused. The petitioner is prosecuting law graduation and is not having any criminal antecedents and is ready and willing to cooperate with the investigation and also the conditions which are going to be imposed by this Court.

5. Per contra, learned Additional Public Prosecutor submits that the petitioner has committed grave offence and investigation is under progress and at this stage, if the petitioner is granted anticipatory bail, he will influence the witnesses and interfere with the investigation. Hence, the petitioner is not entitled for grant of anticipatory bail.

6. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that the police seized the contraband, namely 3.39 grams of MDMA, which is intermediate quantity. Even

according to the learned Additional Public Prosecutor, the petitioner is not having any criminal antecedents.

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

(i) The petitioner/A3 is directed to surrender before the Prohibition and Excise Police Station, Malkajgiri on or before 26.04.2025;

(ii) On such surrender, the Station House Officer of Prohibition and Excise Police Station, Malkajgiri, shall release the petitioner/A3 on bail on 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, the petitioner/A3 shall appear before the Station House Officer, Prohibition and Excise Police Station, Malkajgiri, 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) The petitioner/A3 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.

8. Accordingly, the Criminal Petition is allowed.

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

Date: 21.04.2025
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J.SREENIVAS RAO, J