

The Hon'ble Sri Justice J.Sreenivas Rao

Criminal Petition No.5272 of 2025

Order:

This Criminal Petition is filed by the petitioner/accused No.9, seeking anticipatory bail under Section 482 of Bharatiya Nagrik Suraksha Sanhita (BNSS), in connection with Crime No.231 of 2024 of Gummadidala Police Station, Sangareddy District, registered for the offences punishable under Section 8(c) read with 22 (c) and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

2. Heard Mr. P. Vishnuvardhan Reddy, learned counsel for the petitioner/accused No.9 and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent/State.

3. The case of the prosecution is that on 31.12.2024, the Sub-Inspector of Police, Gummadidala Police Station, on reliable information regarding illegal transportation of

Alprazolam at Toll gate, Gummadidala, he along with his staff reached Toll gate and conducted vehicle checking, during the course of which found an unregistered bike driven by the petitioner coming from Narsapur side and on seeing the police, the petitioner tried to fled away and the police caught him and on enquiry, he admitted that he has been carrying 350 grams of Alprazolam and on his confession, seized the Alprazolam from him and other accused in the crime in the presence of panchas and registered the aforesaid case against the petitioner and others.

4. Learned counsel for the petitioner/accused No.9 submits that the petitioner has not committed any offence and he was falsely implicated in the aforesaid crime. He further submitted that the contraband was seized from accused No.1 only and the ingredients of NDPS Act, are not in application to the petitioner. He further submitted that the very same allegations are leveled against the petitioner and accused No.8; and accused No.8 had approached this Court and filed

Crl.P.No.4337 of 2025 for grant of anticipatory bail and this Court allowed the said criminal petition on 27.03.2025 and as such, the petitioner is also entitled for grant of anticipatory bail. He further submitted that accused Nos.1, 3, 4, 6 and 13 all of them were enlarged on bail. He further submitted that the petitioner is not having any criminal antecedents and he is ready and willing to cooperate with the investigating officer and also abide by the conditions that may be imposed by the Court.

5. Per contra, learned Additional Public Prosecutor submits that the petitioner has committed offence under the provisions of the NDPS Act, and the investigation is under progress and if the petitioner/accused No.9 is granted anticipatory bail at this stage, there is every chance of his influencing the witnesses and interfering with the investigation.

6. Having considered the rival submissions made by the learned counsel for the parties and on perusal of the record, it

reveals that the very same allegations are leveled against accused No.8 and this Court had granted anticipatory bail on 27.03.2025. The record further reveals that accused Nos.1, 3, 4, 6 and 13 all were enlarged on bail. Even according to learned Additional Public Prosecutor 10 witnesses were already examined. Taking into consideration of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner/accused No.9 subject to the following conditions:

- (i) Petitioner/accused No.9 is directed to surrender before the Station House Officer, Gummadidala Police Station, on or before 03.05.2025;
- (ii) On such surrender, the Station House Officer of Gummadidala Police Station, shall release the petitioner on bail on his executing a personal bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) with two sureties for a likesum each to the satisfaction of the said Officer;

(iii) On such release, petitioner/accused No.9 shall appear before the Station House Officer, Gummadidala Police Station, 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 for investigation.

(iv) Petitioner/accused No.9 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.

7. Subject to the above directions, the Criminal Petition is allowed. No costs.

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

Date: 28.04.2025
pss

J.SREENIVAS RAO, J

::6::

The Hon'ble Sri Justice J.Sreenivas Rao

Criminal Petition No.5272 of 2025

Date: 28.04.2025

pss