

THE HON'BLE SRI JUSTICE NARSING RAO NANDIKONDA

CRIMINAL PETITION No.6079 OF 2025

ORDER:

This Criminal Petition is filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhitha, 2023 (for short 'BNSS') by the petitioner/accused seeking bail in Crime No.21 of 2025 on the file of the I Additional District and Sessions Judge, Ranga Reddy District at L.B.Nagar, registered for the offences punishable under Section 8(c) read with Sections 20, 23 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'NDPS Act').

2. The case of the prosecution is that Officers of Air Intelligence Unit (AIU), Customs, Rajiv Gandhi International Airport (RGIA) in the presence of Independent witnesses carried out seizure of total gross weight 5537.00 Grams of substance, suspected to be Ganja a narcotic substance specified under the NDPS Act, which was concealed in 11 tin boxes labelled to contain butter cookies and tea mix. The entire proceedings were reduced into writing under the panchanama dated 22.03.2025 in the premises at International Arrival Hall, Rajiv Gandhi International Airport, Shamshabad, Hyderabad.

Thereafter, the Police registered the case under Section 8(c) read with Sections 20, 23 and 29 of the NDPS Act.

3. Heard Mr. B.Siddaiah, learned counsel appearing for the petitioner/accused and Sri Dominic Fernandes, learned Senior Standing Counsel for CBIC appearing for the respondent/Complainant, who has appeared through online. Perused the record.

4. From the perusal of the entire record, admittedly the Ganja, which was seized, was not the commercial quantity and is only the intermediate quantity i.e., 5537.00 Grams and the petitioner/accused is not having any other criminal antecedents and the petitioner is in judicial custody since 24.03.2025.

5. Learned Additional Public Prosecutor submitted that the ganja seized is an intermediate quantity.

6. Having regard to the submissions made by learned counsel for the petitioner and considering the fact that the ganja seized was only an intermediate quantity, this Court is inclined to grant bail to the petitioner/accused subject to the following conditions:

- i. The petitioner-accused shall be released on bail on his executing a personal

bond for a sum of Rs.20,000/-(Rupees Twenty thousand only) with two sureties for a like sum each to the satisfaction of the XII Additional Metropolitan Magistrate, Cyberabad, Ranga Reddy District. Out of two sureties, one surety must be from the native place of the petitioner-accused.

ii. After release, the petitioner-accused shall appear before the concerned S.H.O. between 11.00 a.m to 5.00 p.m. on first and third Sunday of every month for a period of eight (8) weeks or till filing of the charge sheet, whichever is earlier, for the purpose of investigation, and thereafter, as and when required.

iii. If the petitioner-accused indulges in any offence, the respondent is entitled to file an application seeking cancellation of the bail granted by this Court.

iv. The petitioner-accused shall abide by the other conditions stipulated in Section 480(3) of BNSS and shall co-operate with the investigation.

7. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

JUSTICE NARSING RAO NANDIKONDA

Date: 21.05.2025

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