

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.6578 of 2025

ORDER:

This Criminal Petition is filed by the petitioners/accused Nos.1, 6 and 7 under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS) seeking regular bail in Crime No.04 of 2025 on the file of P.S.Zaheerabad Town, Sangareddy District, registered for the offences punishable under Sections 8(c) r/w 20(b)(ii)(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

2. The case of the prosecution in brief is that on 03.01.2025, on receipt of credible information, Police apprehended petitioners along with others and seized 110 kgs of ganja. Basing on the same, Crime No.04 of 2025 was registered.

3. Heard Mr.P.Sriharinath, learned counsel for the petitioners and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent/State.

4. Learned counsel for the petitioners submitted that the petitioners have not committed the offence and they were falsely implicated in the above crime. He further submitted that the police

seized the contraband without following the mandatory procedure prescribed under the NDPS Act. He further submitted that the petitioner Nos.1 and 3/accused Nos.1 and 7 were arrested on 26.01.2025 and petitioner No.2/accused No.6 voluntarily surrendered before the concerned Station House Officer on 26.01.2025 and since then they are in judicial custody. He further submitted that the very same allegations are levelled against accused Nos.3 and 4 and they approached this Court and filed Crl.P.No.6646 of 2025 and this Court granted bail in their favour on 17.06.2025. He further submitted that petitioners are not having any criminal antecedents and entire investigation is completed and the investigation officer after conducting investigation, filed charge sheet before the learned I Additional District and Sessions Judge, Sangareddy, on 30.04.2025. He further submitted that the petitioners will appear before the concerned Court as and when required and shall abide by the conditions, which are going to be imposed by this Court. Hence, prayed for grant of bail. Hence, prayed for grant of bail.

5. Per contra, learned Additional Public Prosecutor submitted that petitioners have committed grave offences under the provisions of

NDPS Act and 110 kgs of ganja was seized, which is a commercial quantity. Hence, the petitioners are not entitled for grant of 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 petitioners are in judicial custody since 26.01.2025. It is not in dispute that accused Nos.3 and 4 approached this Court and filed CrI.P.No.6646 of 2025 and this Court granted bail in their favour on 17.06.2025. Even according to the learned Additional Public Prosecutor, the investigation officer after conducting investigation, filed charge sheet before the learned I Additional District and Sessions Judge, Sangareddy, on 30.04.2025 and the petitioners are not having any other criminal antecedents.

7. Taking into consideration the above said facts and circumstances of the case, this Court is inclined to grant bail to the petitioners/accused Nos.1, 6 and 7, subject to the following conditions:

(i) The petitioners/accused Nos.1, 6 and 7 shall be released on bail on their executing 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 learned I Additional District and Sessions Judge, Sangareddy.

(ii) After release, petitioners/accused Nos.1, 6 and 7 shall appear before the learned I Additional District and Sessions Judge, Sangareddy, on each and every adjournment.

(iii) After release, if the petitioners/accused Nos.1, 6 and 7 indulges in similar offence, the respondent-State is entitled to file an application seeking cancellation of the bail granted by this Court in their favour.

(iv) The petitioners/accused Nos.1, 6 and 7 shall abide by the other conditions stipulated in Section 437(3) of Cr.P.C., presently Section 483(3) of BNSS and shall cooperate with the investigation.

8. Accordingly, the criminal petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

JUSTICE J.SREENIVAS RAO

Date: 19.06.2025

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