

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.6737 of 2025

ORDER:

This Criminal Petition is filed under Section 480 and 483 of Bharatiya Nagarik Suraksha Sanhitha, 2023 (for short 'BNSS') seeking bail to the petitioners/accused Nos.2 and 3 in Crime No.234 of 2025 on the file of Petbasheerabad Police Station, Cyberabad District, registered for the offences punishable under Sections 8(c) r/w 22(c) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

2. The case of the prosecution is that on 11.02.2025, at 17.45 hours on receipt of credible information police apprehended the petitioners along with others and seized 32.70 gms of MDMA Drug. Basing on the same, a crime was registered in Crime No.234 of 2025.

3. Heard Sri Ch.Rajkumar, learned counsel for petitioners and Mr.Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent-State.

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

contraband was seized from the possession of the accused No.1 only and the provisions under NDPS Act does not attract against the petitioners. The petitioners are eeking out their livelihood by earning daily wages. He further submitted that the petitioners are not having any other criminal antecedents. The petitioners were arrested on 11.02.2025 and since then they have been in judicial custody. The entire investigation is completed except filing of the charge sheet and the petitioners are ready and willing to cooperate with the investigation and also ready to abide by the conditions, which are going to be imposed by this Court and hence, prayed for grant of bail.

5. *Per contra*, learned Additional Public Prosecutor submitted that police seized 32.70 gms from the possession of the petitioners and other accused and the contraband seized is more than the commercial quantity and the petitioners along with other accused have committed grave offence under the provisions of the NDPS Act and investigation is under progress and the petitioners are not entitled for grant of bail and hence, prayed to dismiss the petition.

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 were arrested on 11.02.2025 and since then they were in judicial custody. Even according to the learned Additional Public Prosecutor 11 witnesses were already examined and the petitioners are not having any criminal antecedents and they were not involved in similar offences under the provisions of NDPS Act and the custodial interrogation of the petitioners is not required.

7. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant bail to the petitioners/accused Nos.2 and 3 subject to the following conditions:

1. The petitioners/accused Nos.2 and 3 shall be enlarged on bail on their executing a personal bond for Rs.30,000/- (Rupees Thirty Thousand only) with two sureties, for the like sum each to the satisfaction of the learned IX Additional Judicial First Class Magistrate Cyberabad at Medchal.
2. The petitioners/accused Nos.2 and 3 shall appear before the concerned SHO at 11.00 A.M. on every Monday, 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. After release, if the petitioners/accused Nos.2 and 3 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.

4. The petitioners/accused Nos.2 and 3 shall abide by the other conditions stipulated in Section 483 (3) of BNSS.

8. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

JUSTICE J.SREENIVAS RAO

Date: 11.06.2025
PSW