

The Hon'ble Sri Justice J.Sreenivas Rao

Criminal Petition No.6799 of 2025

Order:

This Criminal Petition is filed by the petitioners/accused Nos.2 and 3 under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) seeking regular bail in connection with Crime No.417 of 2025 on the file of the Station House Officer, Medchal Police Station, Cyberabad, registered for the offences punishable under Sections 8(c) r/w Section 20(b)(ii)(C), 27A & 29 of Narcotic Drugs and Psychotropic Substances Amendment Act, 1985 (for short 'NDPS Act').

2. Heard Mr. P.Vikas Raj, learned counsel for the petitioners/accused Nos.2 and 3 and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent/State.

3. The case of the prosecution is that on 29.04.2025 at about 19:00 hours, on receipt of credible information regarding

illegal transport of dry ganja, the Sub-Inspector, Medchal Police Station, along with his staff proceeded to Yellampet X Road, Medchal and apprehended the petitioners/accused Nos.2 and 3 and seized 26.62 kgs of dry ganja from them. Basing on the same, the aforesaid Crime was registered against the petitioners for the aforesaid offences.

4. Learned counsel for the petitioners/accused Nos.2 and 3 submits that the petitioners have not committed any offence and they were falsely implicated in the aforesaid crime based on the confession made by accused No.1 and the alleged contraband is seized from accused No.1 only. He further submits that the petitioners were arrested on 29.04.2025 and since then, they are in judicial custody and the entire investigation is completed except filing of chargesheet and the petitioners are the sole breadwinners of their family and they have no criminal antecedents and therefore, they be granted bail as they are ready and willing to cooperate with the

investigation and abide by the conditions that may be imposed by this Court.

5. Per contra, learned Additional Public Prosecutor submits that the petitioners/accused Nos.2 and 3 committed grave offence under the NDPS Act and the police seized 26.62 kgs of dry ganja, which is a commercial quantity and investigation is under progress and if the petitioners are enlarged on bail at this stage, they will interfere with the investigation and influence the witnesses. Hence, he prays to dismiss this criminal petition.

6. Having heard learned counsel for the parties and on perusal of the record, it reveals that the petitioners were arrested on 29.04.2025 and since then they are in judicial custody. Even according to the learned Additional Public Prosecutor, the investigating officer had already examined fourteen witnesses and material part of the investigation is completed and the petitioners are not having any criminal antecedents.

7. In view of the same, this Court is inclined to grant bail to the petitioners/accused Nos.2 and 3 subject to the following conditions:

(i) The petitioners/accused Nos.2 and 3 shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties for a like sum each to the satisfaction of the IX Additional Judicial First Class Magistrate, Medchal-Malkajgiri District at Medchal.

(ii) On such release, the petitioners/accused Nos.2 and 3 shall appear before the concerned Station House Officer 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.

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

(iv) After release, if the petitioners/accused Nos.2 and 3 indulge in similar offences, the respondent

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is at liberty to file an application seeking
cancellation of bail.

8. Accordingly, the Criminal Petition is allowed.

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

Date: 16.06.2025
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J.SREENIVAS RAO, J