

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.7460 of 2025

ORDER:

This Criminal Petition is filed under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhitha, 2023 (for short 'BNSS') seeking bail to the petitioner/accused No.29 in Crime No.117 of 2025 on the file of the P.S. Noothankal, Suryapet, registered for the offences punishable under Sections 8(c) r/w 20(b)(ii)(B), 22(c) and 27(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

2. The case of the prosecution in brief is that on 28.04.2025 at around 18:00 hours near the main gate of Mother Dairy Park, accused No.3, a main drug peddler, was found in possession of 144 grams of OG Weed (ganja), 44 LSD blots weighing 0.86 grams, and petitioner/A-29 was caught transporting 1050 grams of Ganja under the influence of A-3 and collaborating with A-5 at Mother Dairy Park, Nallakunta, Hyderabad. Basing on the same, a case was registered in Crime No.117 of 2025.

3. Heard Mr.D. Rajendra Prasad, learned counsel for the petitioner and Mr.Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent-State.

4. Learned counsel for the petitioner submitted that petitioner has not committed alleged offences and he is falsely implicated in the said crime. He further submitted that the petitioner was arrested on 05.05.2025 and since then he is in judicial custody and he is not having criminal antecedents. He further submitted that entire investigation is completed, except filing of charge sheet and the petitioner is ready 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 petitioner has committed grave offences under the provisions of NDPS Act and 1050 grams of ganja, which was seized is a not a small quantity and the investigation is under progress. Hence, at this stage, the petitioner is 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 petitioner was arrested on 05.05.2025 and since

then he is in judicial custody. Even according to the learned Additional Public Prosecutor, petitioner is not having any other criminal antecedents and 15 witnesses were already examined.

7. Taking into consideration the above facts and circumstances of the case, this Court is inclined to grant bail to the petitioner/accused No.29, subject to the following conditions:

- (i) The petitioner/accused No.29 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 IV Additional Chief Judicial Magistrate, Hyderabad at Nampally.
- (ii) After release, the petitioner/accused No.29 shall appear before the concerned S.H.O. at 11.00 a.m. on every Saturday 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) The petitioner/accused No.29 shall abide by the other conditions stipulated in Section 437(3) of Cr.P.C., presently Section 480(3) of BNSS.
- (iv) After release, if the petitioner/accused No.29 indulges in similar offence, the respondent-State is

entitled to file an application seeking cancellation of the bail granted by this Court in his favour.

8. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

JUSTICE J.SREENIVAS RAO

Date:26.06.2025

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