

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.7943 of 2025

ORDER:

This Criminal Petition is filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) by the petitioner, who is arrayed as accused No.1, seeking bail in COR No.36 of 2025 of Excise PS Uppal, Medchal-Malkajgiri District, registered for the offences punishable under Section 8(c) r/w Section 22 (c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter referred to as, 'NDPS Act').

2. The case of the prosecution in brief is that on 25.04.2025, upon receipt of credible information, the STF Team D, Telangana, along with staff and panchas, proceeded to the compound area behind SV Residency, located at the backside of D Mart, Indra Nagar Colony, Ramantapur, Uppal, Medchal-Malkajgiri District. There, they found the petitioner present. Upon apprehending and conducting an enquiry and search of the petitioner, the police personnel recovered 12 grams of MDMA and LSD blots in his possession. Basing on the same, the present crime was registered.

3. Heard Mr.P.Vikas Raj, learned counsel for the petitioner, and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent State.

4. Learned counsel for the petitioner submitted that the petitioner has not committed any offence and he was falsely implicated in the present crime. He further submitted that Police have not followed the procedure while conducting the search, seizure and arrested the petitioner on 25.04.2025 and since then he was in judicial custody. He further submitted that petitioner's mother is suffering with serious health problems and the petitioner's physical presence is very much required to assist her mother. In proof of the same, he placed the medical certificates issued by the Archana Hospitals dated 15.04.2025 and 17.04.2025. He further submitted that investigation is under progress, except filing of charge sheet and the petitioner is not having any criminal antecedents and he is ready to cooperate with the investigation and also abide by the conditions, which are going to be imposed by this Court, and hence, prayed for grant of bail.

5. *Per Contra*, the learned Additional Public Prosecutor submitted that the petitioner has committed grave offence under the provisions of

NDPS Act and 12 grams of MDMA was seized, which is commercial quantity and the investigation is under progress and charge sheet has not been filed. Therefore, 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 the petitioner was arrested on 25.04.2025 and since then he was in judicial custody. Even according to the learned Additional Public Prosecutor, the petitioner is not having any other criminal antecedents.

7. Taking into consideration of the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner/accused No.1 subject to the following conditions:

- (i) The petitioner/accused No.1 is enlarged on bail on his executing a personal bond for a sum of Rs.30,000/- (Rupees thirty thousand only) with two sureties for a like sum each to the satisfaction of the VI Additional Judicial Magistrate of First Class, Uppal at L.B.Nagar.
- (ii) The petitioner/accused No.1 shall appear before the concerned S.H.O. at 11.00 A.M. on every Saturday, for a period of six (6) weeks or till filing of the charge

sheet whichever is earlier, for the purpose of investigation, and thereafter, as and when required.

(iii) After release, if the petitioner/accused No.1 is 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.

(iv) The petitioner/accused No.1 shall abide by the conditions stipulated in Section 483 (3) of BNSS.

8. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

J.SREENIVAS RAO, J

Date: 04.07.2025

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