

The Hon'ble Sri Justice J.Sreenivas Rao

Criminal Petition No.8310 of 2025

Order:

This Criminal Petition is filed by the petitioner/accused No.1 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.Khaja Arajuddin, learned counsel representing Mr.Syed Osman, learned counsel for the petitioner/accused No.1 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 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 petitioner/accused No.1 submits that the petitioner has not committed any offence and he was falsely implicated in the aforesaid crime, based on the confession made by the other accused. He further submitted that petitioner was falsely implicated in the present crime as accused No.1 on the alleged ground that he provided money to purchase the contraband to the accused Nos.2 and 3. Hence the ingredients under the provision of NDPS Act are not attracted the petitioner. He further submits that the petitioner was arrested on 21.05.2025 and since then, he is in judicial custody and the entire investigation is completed except filing of charge sheet and the petitioner is not having any criminal

antecedents and therefore, he may be granted bail as he is 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 petitioner/accused No.1 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 Police seized the contraband namely 26.62 kgs of dry ganja from the possession of accused Nos.2 and 3. The specific allegation levelled against the petitioner is that he provided amount to accused Nos.2 and 3 to purchase the ganja. The record further reveals that accused Nos.2 and 3 approached this Court and filed CrI.P.No.6799 of

2025 and this Court granted bail in their favour on 16.06.2025. Even according to the learned Additional Public Prosecutor, petitioner is not involved in the similar offences under the NDPS Act and the petitioner is not having any criminal antecedents.

7. Taking into consideration the above 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 shall execute a personal bond for a sum of Rs.25,000/-(Rupees Twenty Five Thousand only) with two sureties for a like sum each to the satisfaction of the I Additional District and Sessions Judge-cum-Metropolitan Sessions Judge, Medchal-Malkajgiri District at Kushaiguda.

(ii) On such release, the petitioner/accused No.1 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 petitioner/accused No.1 shall abide by the conditions stipulated in Section 483(3) of BNSS.

(iv) After release, if the petitioner/accused No.1 indulges in similar offences, the respondent/State 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: 14.07.2025
Lk/nit

J.SREENIVAS RAO, J