

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No. 8347 of 2025

ORDER:

This Criminal Petition is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) by the petitioner/accused No.2 seeking anticipatory bail in the event of his arrest in Crime No.192 of 2025 of Adilabad Rural Police Station, Adilabad District, registered for the offence punishable under Sections 8(c) read with 20(b)(ii)(A) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'NDPS Act')

2. The case of prosecution in brief is that on 17.06.2025, at around 11:00 AM, near Ranadivenagar, the police apprehended a suspicious person, who tried to flee upon seeing their vehicle. Upon checking, he was found in possession of 262 grams of semi-dried ganja in a black plastic cover. The accused, identified as Mohammed Sameeruddin/accused No.1, and confessed that he is selling ganja for profit, having purchased 400 grams from the petitioner of Thatiguda, Adilabad. The seized ganja, a Vivo

phone used in the transactions, and other items were sealed under a cover of panchanama. Hence, the complaint

3. Heard Mr. S. Ravi Kiran Reddy, 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 the alleged offence and he was falsely implicated in the present crime. The alleged contraband was seized from accused No.1. Even according to the allegations made in the complaint or panchanama, the alleged contraband is 262 grams of semi dried ganja, which is small quantity. The petitioner is eking out his livelihood by doing coolie work. The petitioner is ready and willing to cooperate with the investigation and also comply with the conditions, which are going to be imposed by this Court. Hence, the petitioner may be granted anticipatory bail.

5. *Per contra*, learned Additional Public Prosecutor submitted that the petitioner has committed grave offence under the provisions of the NDPS Act and he is involved in similar other cases. The investigation is under progress. At

this stage, if the petitioner is granted anticipatory bail, he will repeat the very same crime and will interfere with the investigation and influence the witnesses. Hence, the petitioner is not entitled to seek anticipatory bail.

6. Learned counsel for the petitioner by way of reply submitted that in majority of the cases, the petitioner was acquitted and requested this Court to grant anticipatory bail by imposing any conditions.

7. Having considered the rival submissions made by the respective parties and after perusal the material available on record, it reveals that the police seized the contraband i.e., 262 grams of semi dried ganja, which is small quantity, from the possession of accused No.1. The petitioner is eking out his livelihood by doing coolie work. Even according to the learned Additional Public Prosecutor, eight (8) witnesses were already examined.

8. Taking into consideration the facts and circumstances case, this Court is inclined to grant anticipatory bail to the petitioner/accused No.2 with the following conditions:

- (i) The petitioner/accused No.2 is directed to surrender before the Station House Officer, Adilabad Rural, Adilabad District, on or before 21.07.2025 and on such surrender, he shall be enlarged on bail on his executing a personal bond for a sum of Rs.15,000/-(Rupees fifteen thousand only) with two sureties for a like sum each.
- (ii) On such release, the petitioner/accused No.2 shall appear before the Station House Officer, Adilabad Rural, Adilabad District, on every Monday at 11:00 a.m. commencing from 21.07.2025 for a period of eight (8) weeks or till filing of the charge sheet, whichever is earlier.
- (iii) After release, if the petitioner/accused No.2 indulges in similar offences, the respondent is at liberty to file petition seeking cancellation of bail.
- (iv) The petitioner/accused No.2 shall abide by the conditions stipulated under Section 482 (2) of the BNSS and shall cooperate with the Investigating Officer in the investigation.

9. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

J.SREENIVAS RAO, J

Date: 14.07.2025
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