

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.8547 of 2025

ORDER:

This Criminal Petition is filed under Section 480 and 483 of Bharatiya Nagarik Suraksha Sanhitha, 2023 (for short 'BNSS') seeking bail to the petitioner/accused No.1 in Crime Occurrence Report No.79 of 2025 on the file of the Prohibition and Excise Police Station, Serilingampally, registered for the offences punishable under Sections 8(c) read with 22(b) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

2. The case of the prosecution is that on 28.02.2025 at about 5.34 P.M. the STF Hyderabad team conducted raids and detected a case and the petitioner along with other accused was found in possession of 2.06 gms powder of MDMA. Accordingly, they were arrested and the contraband was seized. Basing on the same, a crime was registered in Crime Occurrence Report No.79 of 2025.

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

4. Learned counsel for petitioner submitted that petitioner has not committed the alleged offence and she was falsely implicated in the above crime. Police without following the mandatory procedure prescribed under Section 42 of the NDPS Act, has conducted the search and recorded the panchanama. Even according to the allegations made in the complaint, the alleged contraband i.e., 2.06 gms of MDMA involved in the present crime is intermediary quantity and the ingredients under 8(c) read with 22(b) of NDPS Act are not attracted. The petitioner was arrested on 28.05.2025 and since then she is in judicial custody and is not having any other criminal antecedents. He further submits that the petitioner is eking out her livelihood by doing private job and she is willing to cooperate with the investigation, if any 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 offence under NDPS Act and the investigation is under progress and if the petitioner is enlarged on bail at this stage, she may interfere with the investigation and may influence the witnesses and may

repeat the same offence, and hence, prayed to dismiss the petition.

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 28.05.2025 and since then she is in judicial custody. Even according to the learned Additional Public Prosecutor, petitioner has not been involved in similar offence and is not having any criminal antecedents and the contraband i.e., 2.06 gms of powdered MDMA, seized in the present case is intermediate quantity.

7. Taking into consideration 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 shall execute a personal bond for a sum of Rs.50,000/-(Rupees fifty thousand only) with two sureties for a like sum each to the satisfaction of the I Additional District and Sessions Judge, Ranga Reddy District at L.B.Nagar.

(ii) The petitioner/accused No.1 shall appear before the concerned SHO at 11.00 A.M. on every Saturday, for a period of six (6) weeks or till filing of 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 indulges in similar offence, the respondent-State is entitled to file an application seeking cancellation of the bail granted by this Court in her 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.

JUSTICE J.SREENIVAS RAO

Date: 17.07.2025
PSW