THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.9976 of 2025

ORDER:

The present Criminal Petition is filed seeking the Court to enlarge the petitioner on bail, who is arrayed as accused No.9 in FIR.No.1 of 2025 on the file of Police Station, Narcotics, Cyberabad District, registered for the offences punishable under Sections 22(b), 22(c), 27A and 29 of the Narcotic Drugs And Psychotropic Substances Act, 1985, (for short 'NDPS').

2. The brief facts of the case are that on 03.04.2025 at around 21:00 hours, the Deputy Superintendent of Police, Station House Officer, Cyberabad Narcotic Police Station, Telangana Anti-Narcotic Bureau, received credible information that certain Nigerian nationals were actively involved in the illegal supply of narcotic drugs. These individuals were residing at Flat No.301, AY Residency, Road No.10, Happy Homes Colony, Upperpally, Rajendra Nagar, Hyderabad, and were reportedly assembling at the said premises along with one Mateen Siddiqui (Accused No.3), who operated Fine

Multipurpose Services at Malakpet, Hyderabad, for the purpose of settling financial transactions related to the drug trade. The drug network was allegedly being operated by Divine Ebuka Suzee @ Ebuka @ Emmanuel @ Level, who had previously resided with the group in Upparpally but had fled to Nigeria following the arrest of Onuoha Blessing in Hyderabad in 2024. Divine Ebuka Suzee was reportedly coordinating the drug operations from Nigeria with the assistance of his brother Ezeonyili Franklin Uchenna @ Kelechi. The drugs were procured from New Delhi through Onuoha Blessing, a resident of Bangalore. After Blessing's arrest, Divine Ebuka continued to manage the racket remotely.

3. It was alleged that Emma and Big Joe, associates of Divine Ebuka, allegedly procured Indian and foreign bank accounts through Accused No.3, Mateen Siddiqui, and provided these accounts to Divine Ebuka, who then shared them with customers seeking narcotic substances. The customers would deposit the requisite amounts into these accounts, and the drugs would be delivered to them through Emma and Big Joe. Subsequently, Emma and Big Joe would

approach Mateen Siddiqui to collect the deposited funds, which were then routed to Nigeria through various illegal channels.

4. Based on the said information, the Officers, after complying with all legal formalities, conducted surveillance near the premises at Flat No.301, AY Residency, Road No.10, Happy Homes Colony, Upperpally, Rajendra Nagar, Hyderabad, from 12:00 hours onwards. During the operation, Accused Nos.1 and 2 voluntarily disclosed their involvement in the sale of Cocaine and MDMA to customers in Hyderabad, stating that they were being handled by Divine Ebuka Suzee, who procured the drugs from New Delhi and arranged for payments through bank accounts provided by Mateen Siddiqui. Upon search and seizure, the authorities recovered 52.29 grams of MDMA and 16.45 grams of Cocaine from Accused Nos.1 and 3. Consequently, Crime No.01 of 2025 was registered against the accused persons, including the petitioner, implicating him as accused No.9. Aggrieved thereby, this Criminal Petition is filed.

5. Heard Sri Junaid Ahmed Khan, learned counsel for petitioner, and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for respondent – State.

6. Learned counsel for petitioner submitted that the petitioner is innocent and has been falsely implicated in the present case. He contended that the petitioner was merely working as a cashier in certain shops and had no ownership or partnership interest in the firms allegedly involved in the offence. He asserted that the shop referred to by the prosecution has been closed since 2022 and belongs to other individuals, as evidenced by the license agreements which have been annexed to the petition. He averred that the petitioner has no connection with the alleged narcotic transactions or the Western Union money transfer business attributed to the co-accused. He lamented that the police failed to establish any substantive link or provide documentary evidence connecting the petitioner with the other accused persons, and no record has been furnished by the Narcotics Police Station, Cyberabad, to support the allegations.

7. Learned counsel for petitioner incessantly submitted that the petitioner has been in judicial custody for approximately 120 days, and asserted that Accused Nos.10, 11, 12, and 13, who were allegedly involved in similar activities, have already been granted bail. He averred that the petitioner is a 75% physically handicapped individual, unable to walk properly, and is the sole caretaker of his bedridden father and school-going children. Therefore, while advocating that petitioner belongs to a poor and respectable family, thereby, eliminating any risk of absconding or tampering with prosecution witnesses, he prayed this Court to allow the Criminal Petition, granting the relief of bail to petitioner.

8. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner stating that the petitioner is involved in drug peddling and that the investigation in the matter is in progress and if the petitioner is released on bail at this stage, he may tamper with the evidence and may threaten the witnesses. Hence, he prayed the Court to dismiss the criminal petition.

9. Having regard to the rival submissions made and on going through the material placed on record, it is evident that the petitioner is working as a Cashier and he had no ownership or partnership interest in the firms allegedly involved in the offence. The petitioner was in judicial custody for approximately 120 days and accused Nos.8, 10, 11, 12 and 13 who were involved in similar activities have already been granted bail. In view of the same and considering the period of incarceration of petitioner in jail, and his disability, this Court deems it fit to grant bail to the petitioner, subject to the following conditions:

i. The petitioner 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 V Additional Metropolitan Magistrate cum V Additional Junior Civil Judge, Ranga Reddy District, at LB.Nagar.

ii. The petitioner shall appear before the concerned SHO at 11:00 a.m., on every Wednesday for a period of eight (8) weeks, for the purpose of investigation, and thereafter, as and when required.

iii. The petitioner shall abide by the conditions stipulated in Section 482(2) of BNSS (previously known as Section 437(3) of Cr.P.C.).

10. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 19.08.2025
PT/PSS

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