

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.11884 OF 2025

ORDER :

This criminal petition is filed under Section 480 & 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner/A.3 seeking his enlargement on bail in connection with NCB F.No.48/1/8/2024/NCB/HZU, Hyderabad Zonal Unit. The offences alleged against the petitioner are under Section 22(c), 27A, 28 and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

2. The case of the prosecution is that on 22.12.2024, the Narcotics Control Bureau, Hyderabad Zonal Unit, received specific and credible information that Accused No.1, Ramesh Reddy Alavale, was illegally manufacturing Alprazolam at the premises of M/s Srivathsa Life Sciences Pvt. Ltd. Basing on this information, the authorities conducted a search and seizure operation at the said premises and recovered 32.614 kilograms of a light yellow-coloured substance, suspected to be Alprazolam. During the investigation, Accused No. 1 gave a voluntary statement, which led to the disclosure of involvement of other accused persons, including the petitioner herein. As such basing on the same, the police registered a case against the accused for the above offences.

3. Heard Sri Palle Sriharinath, learned counsel for the petitioner and Sri D.Arun Kumar, learned Additional Public Prosecutor appearing for the respondent-State.

4. The contention of learned counsel for the petitioner is that petitioner has been falsely implicated in this case in view of certain financial transactions with A.1. No contraband was seized from the possession of this petitioner and he was not present at the place of offence. The petitioner was linked to the present crime basing on a series of online monetary transactions directed to the account of A.1, but they were made under the bona fide impression that they pertained to the business dealing concerning poultry-related chemicals which are not prohibited under NDPS Act. He further contended that the alleged statement under Section 67 of the NDPS Act is inadmissible in the light of the judgment in **Toofan Singh Vs State of Tamilnadu**¹ wherein it was observed that confessional statement made before the officers is inadmissible. The petitioner herein is in jail from 15.04.2025 and the material part of investigation is already completed. Further A.1 and A.2 in this crime were already granted bail, as such, prayed this Court to grant bail to the petitioner by allowing this criminal petition.

¹ (2020) 9 SCC 362

5. On the other hand, learned Additional Public Prosecutor filed counter stating that the petitioner herein is one of the receivers of Alprazolam and had sent about Rs.30 lakhs to the account of Lekyachem through online banking mode for manufacturing Alprazolam. The petitioner herein was issued summons under Section 67 of NDPS Act and after interrogation he was sent to judicial custody. The petitioner herein played a crucial role in financing for illegal manufacturing and trafficking operation. Further investigation is not yet completed, as such, prayed this Court not to grant bail and to dismiss this petition.

6. Considering the submissions made by the respective counsel and the material placed on record the petitioner herein is A.3 and seized contraband is 32.614 kgs of Alprazolam. The role of the petitioner herein is that he financed to A.1 and A.2 in manufacturing and for purchasing the Alprazolam. However, the prime accused in this case were already granted bail. Considering the period of incarceration of petitioner in jail, this Court deems it fit to grant bail to the petitioner subject to the following conditions:

- i. The petitioner/A.3 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 I-Additional District and Sessions Judge, Sangareddy.

- ii. The petitioner/A.3 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/A.3 shall abide by the conditions stipulated in Section 483(2) of BNSS.

7. Accordingly, the Criminal Petition is allowed.

Miscellaneous petitions, if any, pending shall stand closed.

K. SUJANA, J

Date :25.09.2025
Rds

THE HON'BLE SMT. JUSTICE K. SUJANA

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