

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.10400 of 2025

ORAL ORDER:

Seeking the Court to enlarge the petitioner who is arrayed as accused No.2 in C.O.R.No.93 of 2025 of Prohibition and Excise Police Station, Serlingampally, on bail, the present Criminal Petition is filed.

2. The case of the prosecution is that on 12.06.2025, petitioner along with other accused was found in possession of 2.20 grams of MDMA Pills. Basing on the complaint, present crime was registered.

3. Heard Sri G. Ravichandran, learned counsel appearing on behalf of the petitioner as well as Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing on behalf of the respondent – State.

4. Learned counsel for the petitioner submitted that the petitioner has not committed the offence and he was falsely implicated in the above crime. He further submitted that

alleged contraband was not seized from the possession of the petitioner. He further submitted that the 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 by the prosecution, the alleged contraband is involved in the present crime is intermediary quantity. He further submitted that petitioner is eking out his livelihood by doing private employment and he is not having any criminal antecedents. He further submitted that the petitioner was arrested on 12.06.2025 and since then he is in judicial custody and the entire investigation is completed, except filing of charge sheet. Therefore, he prayed the Court to grant bail to the petitioner by allowing this criminal petition.

5. *Per contra*, learned Additional Public Prosecutor submitted that the petitioner and other accused have committed grave offence under the provisions of NDPS and the investigation is under progress. At this stage, if the petitioner is enlarged on bail, he will commits the very same offence and also influence the witnesses. 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 the Police seized the contraband namely 2.20 grams of MDMA Pills, which is intermediary quantity and the petitioner was arrested on 12.06.2025, since then he was in judicial custody. Even according to the learned Additional Public Prosecutor, petitioner is not involved in similar offence and he is not having any criminal antecedents.

7. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner/accused No.2, 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 the XIII Additional District and Sessions Judge, Cyberabad, Ranga Reddy District at L.B.Nagar.
- ii. The petitioner 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 indulges in similar offence, the respondent-State is entitled to file an application seeking cancellation of the bail granted by this Court in his favour.
 - iv. The petitioner shall abide by the conditions stipulated in Section 483 (3) of BNSS.
8. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 22.08.2025
SAI

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