

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**THURSDAY, THE TWENTY EIGHTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE**

**PRESENT
THE HONOURABLE SMT JUSTICE K. SUJANA**

CRIMINAL PETITION NO: 10405 OF 2025

Between:

Pandla Ramesh, S/o. Venganna, Age. 39 Years, Occ. Agricultuer,
R/o. H-No. 6-123, Ankamma Street, Yadiki Town and Mandal, Anathapuram
District.

...Petitioners/Accused No.9

AND

The State of Telangana, through the SHO, Pebbair Police station, Wanaparthi
District, Represented by Public Prosecutor, High Court for the State of
Telangana, at Hyderabad.

...Respondent/Complainant

Petition under Section 482 of BNSS praying that in the circumstances
stated in the Memorandum of Grounds of Criminal Petition, the High Court may
be pleased to enlarge the petitioner/accused No.9 on bail in the event of his
arrest in connection with FIR No. 127 of 2025, dated. 05-06-2025, on the file
Station House officer, Pebbair Police Station, Wanaparthi District, pending
enquiry and trial.

This Petition coming on for hearing, upon perusing the Memorandum of
Grounds of Criminal Petition and upon hearing the arguments of
Sri Laxmaiah Kanchani, Advocate for the Petitioner and the Sri Syed Yasar
Mamoon, learned Additional Public Prosecutor on behalf of the Respondent-
state.

The Court made the following: ORDER

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.10405 OF 2025

ORDER :

This criminal petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short "BNSS") by the petitioner/A.9 seeking anticipatory bail in connection with FIR No.127 of 2025 of Pebbair Town Police Station, Wanaparthy District. The offences alleged against the petitioner are under Sections 8(c) r/w.22(c) and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

2. The facts of the case are that on 05.06.2024 on reliable information the police conducted raid at market yard near TSRTC bus stand of Pebbair town and seized 500 grams of Alphrozolam from the possession of A.1 to A.4 as they are transporting to supply the same to A.5 and A.5 used to supply the same to the remaining accused i.e., A.6 to A.11. The police arrested A.5 and A.6 and taken them into custody and seized 500 grams of Alphrozolam from the possession of accused. Basing on the complaint, police registered the case against the accused for the above offences.

3. Heard Sri Laxmaiah Kanchani, learned counsel for the petitioner and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent-State.

4. The contention of learned counsel for the petitioner is that petitioner is innocent of the alleged offences and no contraband was seized from the petitioner herein and basing on the confession statement of A.5 and A.6, the petitioner herein is shown as accused and the allegation is that they sell Alphrozolam to needy persons at Pebbair, Kurnool, but admittedly petitioner is native of Ananthapuram and he is no way concerned with the alleged offences. He further submitted that the allegations made in the complaint does not attract any of the ingredients of Sections 8 (c) r/w.22 (c) and 29 of NDPS Act and the petitioner herein is falsely implicated in this case. As such, requested this Court to grant anticipatory bail.

5. On the other hand learned Additional Public Prosecutor opposed bail stating that the seized contraband is commercial quantity and according to the prosecution, A.5 used to supply Alphrozolam to petitioner herein. Further anticipatory bail is not

maintainable in NDPS cases, as such, requested this Court to dismiss this bail application.

6. Considering the submissions made by both the counsel and the material on record, though petitioner contended that he is not involved in this case, it is not the stage to decide the same, as the seized contraband is 500 grams of Alphrozolam which is a commercial quantity.

7. At this stage, it is pertinent to observe that the Courts exercise caution while dealing with anticipatory bail petitions in NDPS cases due to the serious nature of these offences. Granting anticipatory bail in regular manner may hamper the investigation, allow the accused to abscond, and undermine public interest in preventing and controlling these offences.

8. The Hon'ble Supreme Court has consistently held that anticipatory bail should not be granted in NDPS cases as a matter of routine, as the same may hamper the investigation and enable the accused to destroy evidence. Further, in the case of **Anarul SK v. State of West Bengal**¹ the Hon'ble Supreme Court observed

¹ Petition for Special Leave to Appeal (Crl.)No.12621/2024 dated 19.09.2024

that grant of anticipatory bail in cases involving NDPS is a very serious issue.

9. In the light of the above discussion, this Court is of the opinion that grant of pre-arrest bail at a stage when the investigation is still in progress, may impede the investigative process and potentially prejudice the case of prosecution, as such, there are no merits in this criminal petition to grant pre-arrest bail to the petitioner and the same is liable to be dismissed.

10. Accordingly, the Criminal Petition is dismissed. However, the petitioner shall appear before the trial Court and file a regular bail application and on filing of such application, the trial Court is directed to consider the same and pass appropriate orders in accordance with law.

Miscellaneous petitions, if any, pending shall stand closed.

//TRUE COPY//

SD/- C. DEEPIKA
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Station House Officer, Pebbair Police Station, Wanaparthy District.
2. One CC to Sri Laxmaiah Kanchani Advocate [OPUC]
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana, Hyderabad. [OUT]
4. Two CD Copies

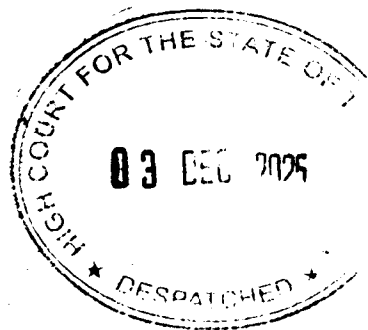
EPR/gh

HIGH COURT

DATED:28/08/2025

ORDER

CRLP.No.10405 of 2025



DISMISSING THE CRL.PETITION.

EmT
10/11/25