

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.11338 of 2025

ORDER:

Seeking the Court to enlarge the petitioners who are arrayed as accused Nos.1 to 3 in Crime No.88 of 2025 of Palavancha Rural Police Station, Bhadrachali-Kothagudem District, registered for the offence punishable under Section 8(c) read with 20(b)(ii)(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act'), on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 20.06.2025, the police intercepted the accused and seized 37.650 kilograms of ganja from the possession of accused Nos.1 to 3. The accused were subsequently arrested, and a case was registered against them *vide* Crime No.88 of 2025 for the aforementioned offence.

3. Heard Sri Veera Babu Gandu, learned counsel appearing on behalf of the petitioner as well as Sri Arun Kumar Doddla, learned Additional Public Prosecutor appearing on behalf of the respondent-State.

4. Learned counsel for the petitioners submitted that the petitioners are innocent and they were falsely implicated in this

case and that accused Nos.2 and 3 are women and that all the material witnesses were examined, and further detention of the petitioner is unnecessary. He further submitted that the petitioners have been in judicial custody since 20.06.2025, causing undue hardship to their family and there are no criminal antecedents against the petitioners. Therefore, he prayed the Court to grant bail to the petitioners by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner stating that the seized contraband is of commercial quantity, the investigation is not yet completed, therefore, granting bail to the petitioner, at this stage, does not arise. Hence, he prayed the Court to dismiss the criminal petition.

6. Considering the submissions of both the learned counsel and upon a perusal of the material available on record, the allegations against the petitioners are they were traveling in a car when the police intercepted the vehicle and seized 37.650 kilograms of ganja. As per the remand case diary, Accused No.1 confessed to having transported ganja in that car on multiple occasions, often accompanied by his wife and family members to avoid arousing police suspicion. Accused Nos.2 and 3, however, are stated to have

had no knowledge of the contraband. Taking into account that Accused Nos.2 and 3, who are unaware of the contraband, have been languishing in jail since 20.06.2025, and that the material part of the investigation has been completed, this Court deems it fit to grant bail to Accused Nos.2 and 3 and Accused No.1 is not entitled to the same relief. Accused Nos.2 and 3 are granted bail subject to the following conditions:

- i. The accused Nos.2 and 3 shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only), with two sureties each for a like sum each to the satisfaction of the learned Special Sessions Judge for the trial of cases under NDPS Act-cum-I Additional Sessions Judge at Kothagudem.
- ii. The accused Nos.2 and 3 shall appear before the concerned SHO at 11:00 A.M., on every Monday for a period of eight (8) week or till filing of charge sheet whichever is earlier, for the purpose of investigation, and thereafter, as and when required.
- iii. The accused Nos.2 and 3 shall abide by the conditions stipulated in Section 437(3) of Cr.P.C.(presently, Section 480(3) of the BNSS).

7. Accordingly, the Criminal petition is partly allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 10.09.2025
SS

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