

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.11843 of 2025

ORAL ORDER:

This Criminal Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of pre-arrest bail to the petitioners, who are arrayed as accused Nos.6, 8, 10 and 11 in Crime No.610 of 2022 before the Begumpet Police Station, Hyderabad.

2. The brief facts of the case are that on 23.12.2022, at about 17:30 hours, at Prakash Nagar Metro Station, Begumpet, accused Nos.1 and 2 were found in possession of 3,100 grams of pseudoephedrine. During the course of investigation, the names of the petitioners came to light. Hence, the petitioners, along with the other accused, are alleged to have committed offences punishable under Sections 23(c), 25(a), and 29 read with 28 of the NDPS Act, and Sections 468 and 471 of the IPC.

3. Heard Sri B. Rakesh, learned counsel appearing on behalf of the petitioners as well as Sri D. Arun Kumar, learned

Additional Public Prosecutor appearing on behalf of the respondent - State.

4. Learned counsel for the petitioners submitted that the petitioners are proprietors of various courier services, and their role is limited to collecting couriers and handing them over to major courier companies for dispatch to foreign consignees. He further submitted that the petitioners were already served with notices under Section 41-A Cr.P.C. in the year 2023, and they had duly submitted replies to the said notices. However, the police are now attempting to apprehend the petitioners. When the petitioners filed an anticipatory bail petition before the trial Court, the Investigating Officer filed a counter opposing the same, alleging that the petitioners have been absconding since the date of registration of the FIR. This stand, however, is contrary to the investigation record, which itself reflects that 41-A Cr.P.C. notices were served on the petitioners and that they have been cooperating with the Investigating Officer. He further submitted that accused No.6 accompanied the Narcotics Officer along with accused Nos.1 and 2, which itself demonstrates that the petitioners are cooperating with the investigation. Therefore, the allegation of

absconding does not arise. Hence, he prayed the Court to grant pre-arrest bail to the petitioners by allowing this present criminal petition.

5. On the other hand, learned Additional Public Prosecutor opposed the petition, contending that the petitioners were already served with notices under Section 41-A Cr.P.C. and, therefore, there is no apprehension of arrest. Accordingly, he prayed that the Court may pass appropriate orders.

6. In the light of the submissions advanced by both the learned counsel and upon perusal of the material on record, it appears that even according to the prosecution, the petitioners were not found in possession of any narcotic drug or psychotropic substance. The only allegation against them is that they handed over certain parcels to the main courier office, wherein suspicious substances were found, and they duly informed the investigating authorities of the same. Further, the record reveals that the petitioners were already issued notices under Section 41-A Cr.P.C. and had submitted replies thereto. Considering the facts and circumstances of the

case, this Court deems it fit to grant pre-arrest bail to the petitioners, subject to the following conditions:

- i. The petitioners shall surrender before the Station House Officer, Begumpet Police Station, Hyderabad, within two weeks from today, and on such surrender, the said Station House Officer shall release them on bail on executing a personal bond for Rs.25,000/- with two sureties, for the like sum each.
- ii. The petitioners shall abide by the other conditions stipulated in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023 and co-operate with the Investigating Officer in investigating the case.
- iii. The petitioners shall appear before the concerned Investigating Officer on every Monday between 09:00 a.m, and 05:00 p.m., till the filing of the charge

sheet and thereafter, as and when
required

7. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand
closed.

K. SUJANA, J

Date: 17.09.2025
SAI

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