

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

**CRIMINAL PETITION No.12583 of 2025**

**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 petitioner, who is arrayed as accused No.17 in Crime No.101 of 2024 before the Chaderghat Police Station, Hyderabad.

2. The case of the prosecution is that on 16.03.2024, petitioner along with other accused was found in possession of 11.5 grams of MDMA. Basing on the complaint, present crime was registered.

3. Heard Sri Umesh Singh, learned counsel appearing on behalf of the petitioner as well as Sri E. Ganesh, learned Assistant 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 basing on the confession of the co-accused. He

further submitted that Police seized the contraband from the possession of other accused. Hence, the provisions of NDPS Act are not attracted against the petitioner. Therefore, he prayed the Court to grant pre-arrest bail to the petitioner by allowing this criminal petition.

5. Per contra, learned Assistant Public Prosecutor submitted that the petitioner has committed grave offences and the investigation is under progress and if the petitioner is granted anticipatory bail at this stage, he may tamper with the evidence and influence the witnesses and also he will commit the very same offences. Further, there are six cases pending against the petitioner. Hence, he prayed the Court to dismiss the petition.

6. In the light of the submissions made by both the learned counsel and on a perusal of the material available on record, it appears that the present petition is filed seeking grant of pre-arrest bail in connection with Crime No.101 of 2024 before the Chaderghat Police Station, Hyderabad, for the alleged offences under the NDPS Act. It is well settled that anticipatory bail is not ordinarily maintainable in cases arising under the provisions of the NDPS Act in view of the

stringent restrictions contained in Section 37 of the said Act, and such offences are to be dealt with strictly in accordance with the procedure prescribed therein.

7. Having regard to the nature of the allegations, the quantity of contraband seized, and the stage of investigation, this Court is not inclined to entertain the present petition under Section 482 BNSS. However, the petitioner is at liberty to approach the trial Court by filing a surrender application and seek regular bail, and if such an application is filed, the trial Court shall consider and dispose of the same in accordance with law and on its own merits as expeditiously as possible.

8. With the above directions, the Criminal Petition is disposed of.

Miscellaneous applications, if any pending, shall stand closed.

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**K. SUJANA, J**

Date: 17.10.2025  
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