

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.12585 of 2025

ORDER:

This Criminal Petition is filed seeking the Court to enlarge the petitioner, on bail, who is arrayed as accused No.2 in Crime No.393 of 2025 of Abdullapurmet Police Station, Rachakonda Commissionerate.

2. The brief facts of the case are that on 11.06.2025, the police, acting on credible information, apprehended two persons near Sampurna Hotel, ORR, Abdullapurmet, who were allegedly transporting about 19.93 kilograms of Hashish from Odisha and Andhra Pradesh to Bengaluru through Hyderabad. The police seized the contraband along with mobile phones, cash, and bags.

3. Heard Sri Ch. Raj Kumar, 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 was falsely implicated in the case and that no contraband was seized from his possession and that the complaint contained only omnibus allegations without specifying any overt acts of the petitioner. He further submitted that the material part

of the investigation had been completed, all key witnesses had been examined, and there was no possibility of tampering with evidence and that except for the alleged confessional statement before the investigating officer, there was no other evidence connecting the petitioner with the offence, and such confession had no evidentiary value. Therefore, he prayed the court to grant bail to the petitioner by allowing this criminal petition.

5. On the other hand, learned Assistant Public Prosecutor opposed the submissions made by the learned counsel for the petitioner stating that the allegations leveled against the petitioner are serious in nature and further, the commercial quantity of 19.93 kilograms of Hashish Oil was involved in this case. At this stage, granting of bail to the petitioner does not arise. Therefore, he prayed the Court to dismiss the criminal petition.

6. Having regard to the rival submissions made and on going through the material placed on record, it is noted that previously the petitioner had filed Crl.P.No.11136 of 2025 before this Court, seeking the relief of grant of regular bail and the same was dismissed *vide* order dated 15.09.2025 observing that '*Section 37 of the NDPS Act mandates that offences involving commercial quantities be non-bailable, requiring reasonable grounds to believe the accused is not guilty and unlikely to commit further offences*

while on bail. Given the serious set of allegations against the petitioner, this Court is not satisfied that conditions for granting bail under Section 37 are met. However, it is noticed that there are no changed circumstances back then in the earlier regular bail petition, and the present bail petition. As such, this Court is not inclined to grant the relief as sought for, by the petitioner. There are no merits in this Criminal Petition, and the same is liable to be dismissed.

7. Accordingly, this Criminal Petition is dismissed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 17.10.2025
SAI

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