

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.13546 of 2025

ORDER:

Seeking the Court to enlarge the petitioner who arrayed as accused in Crime No.1253 of 2025, registered for the offences punishable under Sections 8(c) read with 17(b) and 27 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 23.09.2025, on reliable information, the police conducted a raid and found the petitioner, along with other accused, in possession of 105 grams of opium. A seizure panchanama was conducted at the scene, following which the petitioner was arrested. Subsequently, a case was registered against him for the aforesaid offences.

3. Heard Sri Bharadwaj Reddy Mothe, learned counsel appearing on behalf of the petitioner as well as Sri D. Arun Kumar, learned Additional Public Prosecutor appearing on behalf of the respondent-State.

4. Learned counsel for the petitioner submitted that the petitioner is innocent and that the offences punishable under

Sections 8(c) and 27 of the NDPS Act are not applicable to him. He further submitted that the petitioner has been in judicial custody since 23.09.2025 and that the seized contraband, i.e., 105 grams of opium, constitutes only an intermediate quantity and that all the material witnesses have been examined and further detention of the petitioner is unwarranted. Therefore, he prayed the Court to grant bail to the petitioner 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, contending that although the seized contraband falls under the category of intermediate quantity, the investigation is still ongoing and has not yet been completed. Therefore, granting bail to the petitioner, at this stage, does not arise. Hence, prayed the Court to dismiss the criminal petition.

6. Considering the submissions of both learned counsel and upon perusal of the material available on record, it is observed that the seized contraband i.e., 105 grams of opium falls under the category of intermediate quantity and the petitioner has been in judicial custody since 23.09.2025, and a substantial portion of the investigation has already been completed. In view of these circumstances, this Court deems it fit to grant bail to the petitioner, subject to the following conditions:

- i. The petitioner shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each, with two sureties for a like sum each to the satisfaction of the learned XII Additional Junior Civil Judge-cum-XII Additional Metropolitan Magistrate, Medchal-Malkajgiri District, Kukatpally.
- ii. The petitioner 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 petitioner 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 allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 27.10.2025
SS

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