

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.14153 of 2025

ORDER:

Seeking the Court to enlarge the petitioner who arrayed as accused in Crime No.83 of 2025, registered for the offences punishable under Sections 8(b) read with 20(a)(i) 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 23.08.2025, on reliable information regarding the illegal cultivation of ganja plants, the police conducted a raid on the land belonging to the petitioner. During the operation, they seized 95 growing ganja plants, collectively weighing approximately 12.400 kilograms. Following the seizure, the petitioner was arrested on the spot. Subsequently, a criminal case was registered against him for the aforesaid offence.

3. Heard Sri Gajanand Chakravarthy, 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 has been in judicial custody since 23.08.2025 and that, as per the remand report, the seized contraband comprises 95 ganja plants weighing 12.400 kilograms, which constitutes only an intermediate quantity under the relevant legal provisions. He further submitted that all the material witnesses have been examined and further detention of the petitioner is unwarranted and there are no criminal antecedents against the petitioner. 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 the seized contraband i.e., 95 growing ganja plants constitutes a substantial quantity and cannot be merely considered as 12.400 kilograms and the investigation is still ongoing and has not yet been completed. Therefore, granting bail to the petitioner, at this stage, does

not arise. However, he informed the Court that the petitioner has no criminal antecedents.

6. Considering the submissions of both learned counsel and upon perusal of the material available on record, it is observed that the petitioner has been in judicial custody since 23.08.2025. A substantial portion of the investigation has already been completed. Furthermore, the seized contraband, comprising 95 growing ganja plants weighing 12.400 kilograms, falls within the category of intermediary quantity. Considering the stage of investigation and the period of incarceration, this Court finds it appropriate 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), with two sureties for a like sum each to the satisfaction of the learned Judicial First Class Magistrate at Utnoor, Adilabad District.
- 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: 06.11.2025
SS

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