

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.14995 of 2025

ORDER:

This criminal petition is filed under Sections 480 & 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner/A.2 seeking enlargement on bail in connection with Crime No.75 of 2025 of Prohibition & Excise Station, Dhoolpet, Hyderabad. The offences alleged against the petitioner are under Section 8(c) r/w 20(b)(ii)(B) & 22(c) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

2. The case of the prosecution is that on 11.08.2025 on reliable information about possession and transportation of MDMA, dry ganja by some persons the police conducted check at Jali Hanuman Temple, Dhoolpet, Hyderabad, found A.1 on Aactiva DLX and petitioner along with A.2 on Burgman two wheeler vehicle and seized 1.510 Kgs of Ganja, 0.11 grams of LSD Jelly (5) dots and 12.290 grams of MDMA from them. The contraband was seized from the possession of A.1 to A.3 under the cover of panchanama in the presence of panchas and the police have recorded the confession statements of A.1 to A.3, wherein the involvement of

other accused came to light. As such police registered the case against the accused for the above offences.

3. Heard Sri Gulab Singh, learned counsel for the petitioner and Sri D. Arun Kumar, learned Additional Public Prosecutor appearing for the respondent-State.

4. The contention of learned counsel for the petitioner is that petitioner is innocent of the said offences and he has been falsely implicated in this case by the police. The petitioner is Auto Mechanic. There is no prima-facie evidence to show that the petitioner is involved in supplying or doing the ganja, MDMA and LSD jelly business with the other accused. The petitioner is implicated in this case only basing on the confession of co-accused which is not admissible in evidence. Petitioner is in jail from 11.08.2025, and he is the only bread winner of the family and he has to take care of his old aged parents suffering from ill-health. He further contended that petitioner undertakes to abide by any conditions that may be imposed by this Court and prayed to grant bail to him.

5. On the other hand, learned Additional Public Prosecutor opposed bail on the ground that 1.510 kgs of ganja, 0.11 grams of

LSD jelly (5) dots and 12.290 grams of MDMA was seized from the possession of petitioner along with other accused and the LSD Jelly and the MDMA is a huge commercial quantity and investigation is still pending. However, no criminal cases are pending against this petitioner. As the contraband seized is a huge commercial quantity, he prayed to dismiss this petition.

6. Having regard to the submissions made by both the counsel and the material on record, the petitioner is in jail from 11.08.2025. Considering the facts and circumstances of the case and the period of incarceration of petitioner in jail, this Court deems it fit to grant bail to the petitioner subject to the following conditions:

- i. The petitioner/A.2 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 I-Additional Chief Judicial Magistrate, Hyderabad.
- ii. The petitioner/A.2 shall appear before the concerned SHO at 11:00 a.m., on every Wednesday for a period of eight (8) weeks, for the purpose of investigation and thereafter, as and when required.
- iii. The petitioner/A.2 shall abide by the conditions stipulated in Section 483(2) of BNSS.

7. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 24.11.2025
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