

**IN THE HIGH COURT FOR THE STATE OF TELANGANA**

**AT HYDERABAD**

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

**CRIMINAL PETITION No.15418 OF 2025**

**11<sup>th</sup> DAY OF DECEMBER 2025**

**Between :**

Praveen Bellale

... Petitioner/A.1

**And**

The State of Telangana,  
Rep., by Public Prosecutor,  
P.S.Shamirpet

... Respondent

**ORDER :**

This Criminal Petition is filed praying this Court to enlarge the petitioner on bail who is arrayed as accused No.1 in Crime No.642 of 2025 of Shameerpet Police Station, Cyberabad. The offences alleged against the petitioner are punishable under Sections 8 (c) r/w. 20(b) (ii) (C), 27 (A) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

2. The brief facts of the case are that on 19.07.2025, on credible information that three persons were illegally possessing and transporting Ganja from Malkangiri, Odisha to Hyderabad for delivery to the customers near Rotary-II, Shamirpet, the S.I of Police, along with his staff proceeded to the said spot and at about 12.05 hours the police found three persons standing near Rotary-II with four rice bags on the roadside and apprehended them. On questioning them, they revealed their identities and stated that they went to Malkangiri, Odisha on 17.07.2025 to collect ganja packets and packed them into four rice bags. When the said bags were checked they found 41.7 kgs of Ganja, the same was seized under cover of panchanama and case was registered against the accused for the above offences.

3. Heard Sri L.Sai Kumar Yadav, 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. The contention of learned counsel for the petitioner is that there is no recovery whatsoever from the person of petitioner and there is no material to show that petitioner was found carrying, holding, lifting loading, unloading or physically controlling any bag. The entire seizure is a collective seizure

from the spot and not from the individual possession of petitioner. He further contended that confession-cum-seizure panchanama are inadmissible in evidence in view of the settled law laid down by the Hon'ble Supreme Court in **Tofan Singh v. State of Tamil Nadu**<sup>1</sup>. The mandatory procedure is not followed by the investigating agency. Further, the financial transactions and call records mentioned by the police do not indicate any illegal act. The routine Phone Pe transactions does not amount to criminal activity unless independently proved. Hence, 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 bail stating that the quantity involved is a huge commercial quantity and in view of rigor of Section 37 of NDPS Act, petitioner is not entitled for bail and prayed to dismiss this petition.

6. Having regard to the submissions made and a perusal of the material on record, it appears that petitioner is in jail from 19.07.2025, charge sheet is not filed till today and there is no previous crime history against this petitioner. Considering the facts and circumstances of the case, this Court finds it

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<sup>1</sup> 2021(4) Supreme Court Cases 1

appropriate to grant bail to the petitioner/A.1 subject to the following conditions.

- i. The petitioner/A.1 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 I-Additional District & Sessions Judge, Medchal Malkajgiri District at Kushaiguda..
- ii. The petitioner/A.1 shall appear before the concerned SHO at 11:00 a.m., on every Monday for a period of eight (8) weeks or till filing of charge sheet whichever is earlier, for the purpose of investigation, and thereafter, as and when required.
- iii. The petitioner/A.1 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.

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**K. SUJANA, J**

Date: 11.12.2025

Rds

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