

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.15577 of 2025

10th DAY OF DECEMBER 2025

Between:

Chakali Jagadish Kumar.

PETITIONER

The State of Telangana,
represented by Public Prosecutor
High Court for the State of Telangana,
At Hyderabad.

RESPONDENT

ORDER

This Criminal Petition is filed praying this Court to enlarge the petitioner on bail who is arrayed as accused No.6 in Crime No.836 of 2023 of KPHB Colony Police Station, Cyberabad Commissionerate.

2. The brief facts of the case are that on 19.09.2023, the Sub-Inspector of Police, KPHB Police Station, received credible information that certain persons were selling MDMA at GHMC Park, opposite Vertex Block, KPHB Colony. Basing on the

information, the police, along with mediators, proceeded to the spot, apprehended four suspects, and seized 20 grams of MDMA (5 grams each) and five mobile phones from their possession.

3. Heard Sri P.Srinath, learned counsel for petitioner, and 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, arrayed as accused No.6, was falsely implicated in the case and that no contraband was recovered from the petitioner, and his arrest on 13.08.2025 was solely based on the confessional statement of accused No.2, which is inadmissible under Section 67 of the NDPS Act as held in **Tofan Singh v. State of Tamil Nadu**¹. He further submitted that the alleged involvement pertains only to 5 grams of MDMA, which constitutes a non-commercial quantity. 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

¹ (2020) 9 SCC 1

petitioner stating that the petitioner is a drug peddler. He further submitted that the investigation is in progress and if the petitioner is released on bail, at this stage, he may tamper with the evidence and may threaten the witnesses. Hence, he prayed the Court to dismiss the criminal petition.

6. Having regard to rival submissions made, and on going through the material placed on record, it is noted that intermediary quantity of 5 grams of MDMA was seized from petitioner. Therefore, considering the facts and circumstances of this case in entirety, and the period of incarceration of petitioner, this Court deems it fit to grant bail to the petitioner, subject to following the below 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 IV AJCJ cum XV Additional Metropolitan Magistrate, at Kukatpally, Cyberabad.
- ii. The petitioner 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 shall abide by the conditions stipulated in Section 480(3) of the BNSS, earlier known as Section 437(3) of Cr.P.C.

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 10.12.2025
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THE HONOURABLE SMT JUSTICE K. SUJANA

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DATE: 10.12.2025

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