

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

**WEDNESDAY, THE THIRTY FIRST DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HON'BLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION NO: 16044 OF 2025

Between:

A-1 Ramesh Kumar,

S/o Jagadish, Aged about: 20 years, Occ: Worker at Mahalaxmi Mobile Shop, R/o H.No.1-1-28/31, Jai Kisan Colony, Dammaiguda, N/o Nannaniyon Ki Dhani, Barmer, Rajasthan 345033.

A-2 Naresh Kumar,

S/o Aasuram, Aged about: 20 years, Occ: Worker at Mahalaxmi Mobile Shop, R/o H.No.1-1-28/31, Jai Kisan Colony, Dammaiguda, N/o Nannaniyon Ki Dhani, Barmer, Rajasthan 345033.

A-3 Om Prakash,

S/o Bhagirath Ram, Aged about: 36 years, Occ: Steel Welding Work, R/o Vinayak Nagar, Medchal-Malkajgiri, N/o Manki Tech, Gudarmalani, Barmer, Rajasthan.

...Petitioners/Accused No.1 to 3

AND

The State of Telangana, Through S.H.O, P.S. Jawaharnagar, Rep by its Public Prosecutor, High Court at Hyderabad.

...Respondent/Complainant

Petition under Section 480 & 483 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to release the Petitioners/Accused No.1 & 23 herein on bail in CRIME. no. 1168/2025 of P.S Jawaharnagar, Medchal Malkajgiri District, for the offences Punishable U/s 8 (c) r/w 22 (c) 29 OF NDPS ACT -1985.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Pothamshetti Manoj Kumar, Advocate for the Petitioner and the Sri D. Arun Kumar, Additional Public Prosecutor on behalf of the Sole Respondent.

The Court made the following: ORDER

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

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.16044 of 2025

DATE: 31.12.2025

Between:

Ramesh Kumar and others

.... Petitioners/Accused Nos.1 to 3

AND

The State of Telangana,
Through S.H.O. P.S. Jawaharnagar,
Represented by its Public Prosecutor,
High Court at Hyderabad.

.... Respondent/Complainant

ORDER

This criminal petition is filed under Sections 480 & 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioners/accused Nos.1 to 3 seeking bail in connection with Crime No.1168 of 2025 of Jawaharnagar Police Station, Medchal Malkajgiri District. The offences alleged against the petitioners are under Section 8(c) read with 22(c) read with 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

2. The case of the prosecution is that, on 12.10.2025, on reliable information, the Police conducted a raid and found

MDMA drug in a vehicle dickey, which was 35 gms of MDMA, and the same was seized. Basing on the same, the Police registered a case against the accused for the above offences.

3. Heard Sri Pothamshetti Manoj Kumar, learned counsel for the petitioners and Sri D.Arun Kumar, learned Additional Public Prosecutor appearing for the respondent-State.

4. The contention of the learned counsel for the petitioners is that the petitioners are innocent and that the petitioners are falsely implicated in this case. He further submitted that the CCTV photographs shows that the petitioners were taken from their house and they were illegally taken into custody by filing FIR. As such, he requested the Court to grant bail to the petitioners.

5. On the other hand, the learned Additional Public Prosecutor opposed the contentions made by the learned counsel for the petitioners stating that the alleged offence falls under the provisions of the NDPS Act and that the seized contraband constitutes a commercial quantity and the allegations against the petitioners are serious in nature. Whether the alleged offence is legal or illegal cannot be decided in the bail petition. Hence, he prays that the Court dismiss the bail petition.

6. Considering both the material on record and the allegation against the petitioners herein is that the petitioners are transporting 35 gms of MDMA in a car. According to the petitioners, the CCTV footage shows that though the petitioners were taken from their house, the FIR was registered on by falsely implicating them in the present case. It cannot be decided at this stage whether the alleged offence attracts the petitioners or not for arresting them without proper enquiry. In view of Section 37 of the NDPS Act, offences involving commercial quantities are non-bailable, as the seized contraband is a huge commercial quantity. Given the serious allegations against the petitioner, this Court is not satisfied that the conditions for granting bail under Section 37 are met. Therefore, the criminal petition lacks merit and the same is liable to be dismissed.

7. Accordingly, this Criminal Petition is dismissed.

Miscellaneous applications, if any pending, shall stand closed.

Sd/ L. LAKSHMI BABU
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The X Additional Junior Civil Judge-cum-X Additional Metropolitan Magistrate, Medchal Malkajgiri District at Medchal.
2. The Station House Officer, Jawaharnagar Police Station, Rachakonda District.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. [OUT]
4. One CC to Sri Pothamshetti Manoj Kumar, Advocate [O PUC]
5. Two CD Copies

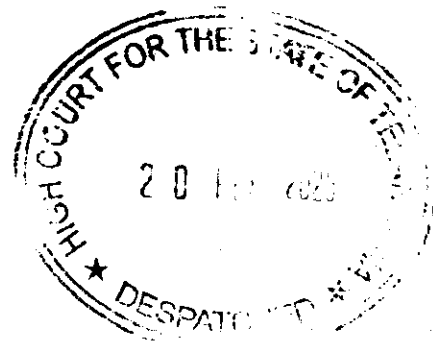
Kant PR

HIGH COURT

DATED:31/12/2025

ORDER

CRLP.No.16044 of 2025



**DISMISSING OF THE
CRIMINAL PETITION**

8MT
22/1/26