IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

FRIDAY, THE NINETEENTH DAY OF DECEMBER TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION NO: 16483 OF 2025

Between:

1. R. Rathish Goud, S/o Prasad Goud, Aged about 31 years, Occ. Prvt Employee, R/o. H. No. 1-5-17, New Bus Stand, Domakonda Village and Mandal, Kamareddy District - 503123, TS.
2. R. Prasad Goud, S/o Rama Goud, Aged about 54 years. Occ. Business, R/o. H. No. 1-5-17, New Bus Stand, Domakonda Village and Mandal, Kamareddy District - 503123, TS.

...PETITIONER/ACCUSED No. 3 & 4

AND

The State of Telangana, Represented By Public Prosecutor Through S.H.O. P.S. Nizarnabad Town IV. High court for the state of Telangana, At Hyderabad.

...RESPONDENT/COMPLAINANT

Petition under Section 482 of BNSS/438 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to grant anticipatory bail to the petitioner by directing the S.H.O of Nampally Police Station to release /enlarge the petitioner on bail in the event of his arrest in connection FIR No.417 of 2025 dated 13/11/2025, U/ s. 8(c) r/w 22(c), 29 of NDPS Act 1985 at Nizamabad Town-IV Police Station, Nizamabad District.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Ramavaram Chandrashekar Reddy, Advocate for the Petitioners and the Public Prosecutor on behalf of the 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.16483 of 2025

DATE: 19.12.2025

BETWEEN:

R. Rathish Goud and another

.....petitioner/accused Nos.3 and 4

And

The State of Telangana,
Rep. by Public Prosecutor,
High Court for the State of Telangana,
at Hyderabad.

.....Respondent/complainant

ORDER

This Criminal Petition is filed praying this Court to enlarge the petitioners on pre-arrest bail who are arrayed as accused Nos.3 and 4 in Crime No.417 of 2025 before the Nizamabad Town IV Police Station, Nizamabad District,

registered for the offence punishable under Sections 8(c) read with 22(c) and 29 of NDPS Act.

2. The brief facts of the case are that on 13.11.2025, the police received credible information that Alprazolam was being mixed with toddy at a house in Pangra village, Nizamabad. After complying with Section 42(2) NDPS Act, the police, along with panch witnesses and a clues team, conducted a search and seized 81.65 grams of Alprazolam from A1 and 75.58 grams from A2, along with mobile phones, sachets and a weighing machine. A1 and A2 allegedly confessed that they had been mixing Alprazolam with toddy to increase sales and stated that they had procured the substance from A3 and A4, who were later shown as absconding.

3. Heard R. Cahndrashekar Reddy, 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 petitioners were innocent and had been falsely implicated solely on the basis of a vague statement made by accused

No.2, with no recovery whatsoever from them. He further submitted that the petitioners were not present at the scene, had no connection with the seized contraband, and were being targeted due to personal grudge and earlier harassment by the police. He contended that petitioner No.2 was a heart patient who had recently suffered a brain stroke and required continuous medical treatment and that custodial interrogation was unnecessary, the allegations were baseless, and the petitioners were ready to cooperate with the investigation. Therefore, he prayed the Court to grant pre-arrest 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 petitioners stating that the petitioners are the drug peddlers. He further submitted that the investigation is in progress and if the petitioners are released on pre-arrest bail, at this stage, they may tamper with the evidence and may threaten the witnesses. Hence, he prayed the Court to dismiss the criminal petition.

6. In the light of the submissions made by both the learned counsel and a perusal of the material available on

record, it is noted that the limited grievance of learned counsel for the petitioners is that the petitioners were falsely implicated in the case and that petitioners are no way concerned with the alleged offence punishable under NDPS Act, as no contraband was seized from their possession, whereas, it is the specific stand of learned Additional Public Prosecutor that petitioners are actively involved with other accused in their illegal activities.

7. At this stage, it is pertinent to note that in cases arising under the NDPS Act, the Court is required to exercise great caution while considering a prayer for anticipatory bail, keeping in view the nature of allegations, gravity of the offence, and the necessity of custodial interrogation for a fair and effective investigation. The Hon'ble High Court, as affirmed by the Hon'ble Supreme Court in **Dinesh Chander v. State of Haryana**[1], has observed that where the investigation materials disclose a *prima facie* link of the accused with the alleged offence, such as his involvement being reflected from statements of co-accused, electronic communication, or financial transactions, the grant of pre-arrest protection would

[1] SLP (Crl.) No. 9540 of 2025

seriously hamper the process of investigation. The settled position of law is that anticipatory bail is not to be granted as a matter of routine or on mere assertion of innocence, particularly when the investigation is at a nascent stage and the role of the petitioner requires thorough examination. In such circumstances, the Court may rightly decline to extend the discretionary relief of anticipatory bail, leaving it open to the accused to surrender before the jurisdictional Court and seek regular bail, which shall be considered on its own merits and in accordance with law.

8. In view thereof, this criminal petition is dismissed.

Miscellaneous applications, if any pending, shall stand closed.

Sd/- M. JAWAHAR REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

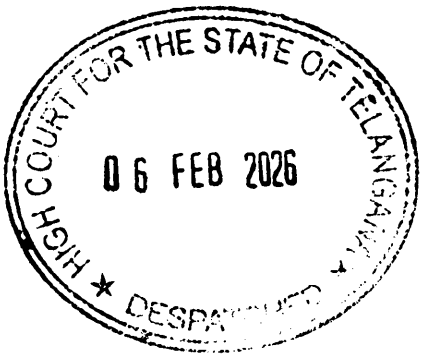
To,

1. The Special Judicial First Class (Mobile) Magistrate at Nizamabad
2. The Station House Officer, Town-IV Police Station, Nizamabad District
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabac. [OUT]
4. One CC to Sri Ramavaram Chandrashekar Reddy, Advocate [OPUC]
5. Two CD Copies

JKS

HIGH COURT

DATED: 19/12/2025



ORDER

CRLP.No.16483 of 2025

DISMISSING THE CRLP

(8)—JKS
23/1/26