

**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 HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION NO: 16682 OF 2025

Between:

Peddolla Sagar, S/o.Chinna Goud, Aged 62 years, Occ: Agriculture, R/o.H.No.1-1-75/15B, Vinayaknagar, Nizamabad Dist.

...PETITIONER/ACCUSED NO.2

AND

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

...RESPONDENT

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 enlarge the petitioner/Accused No.2 on bail in connection with Crime No. 169/2025 of Mugpal Police Station, Nizamabad District, registered under offences under Sections 8(c), 22(C), 29 of the 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 P SRINATH, Advocate for the Petitioner and 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.16682 of 2025

DATE: 31.12.2025

BETWEEN:

Peddolla Sagar

.....petitioner/accused No.2

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 petitioner on bail who is arrayed as accused No.2 in Crime No.169 of 2025 before the Mugpal 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 27.10.2025, acting on prior information, the police apprehended accused Nos.1 and 2 while they were allegedly transporting Alprazolam for mixing it in toddy, and seized 408 grams from Accused No.1 and 182 grams from the petitioner. It was alleged that both accused had procured the contraband from Accused No.3 and were apprehended while proceeding towards Thanakurdh village. The petitioner was arrested and remanded to judicial custody on 28.10.2025 and had been in custody since then.

3. Heard Sri P. Srinath, 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 petitioner was falsely implicated and that the alleged seizure and confession were doubtful, as no independent corroborative evidence such as photographs, CCTV footage, or

call records connected the petitioner with the alleged offence and that mandatory provisions of Section 50 of the NDPS Act were not complied with, that no recovery of sale proceeds was made, and that the role of the petitioner was not clearly established. He contended that the petitioner was a permanent resident of Nizamabad with no criminal antecedents, that Accused No.3 had already been enlarged on bail. 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 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. This Court, considering submissions made by both the learned counsel and reviewing the material available on record, it is noted that the contention of the petitioner that the case is false, fictitious, and fabricated, the case was registered without following the due procedure. However, the Additional

Public Prosecutor opposes bail citing commercial quantity weighing 182 grams of Alprazolam ganja. At this stage, it is pertinent to note Section 37 of the NDPS Act, which reads as under:

“37. Offences to be cognizable and non-bailable.

-- (1) Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974),--(a) every offence punishable under this Act shall be cognizable;

(b) no person accused of an offence punishable for 1[offences under section 19 or section 24 or section 27A and also for offences involving commercial quantity] shall be released on bail or on his own bond unless--

(i) the Public Prosecutor has been given an opportunity to oppose the application for such release, and

(ii) where the Public Prosecutor opposes the application, the court is satisfied that there are reasonable grounds for believing that he is not guilty of such offence and that he is not likely to commit any offence while on bail.

(2) The limitations on granting of bail specified in clause (b) of sub-section (1) are in addition to the limitations under the Code of Criminal Procedure, 1973 (2 of 1974) or any other law for the time being in force on granting of bail.”

7. In view thereof, Section 37 of the NDPS Act mandates that offences involving commercial quantities be non-bailable, requiring reasonable grounds to believe the accused is not guilty and unlikely to commit further offences while on bail. Given the serious allegations against the petitioner, this Court is not satisfied that conditions for granting bail under Section 37 are met. Therefore, the criminal petition lacks merit and the same is liable to be dismissed.

8. Accordingly, this Criminal Petition is dismissed.

Miscellaneous applications, if any pending, shall stand closed.

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Sd/- K. MADHAVI
ASSISTANT REGISTRAR

SECTION OFFICER

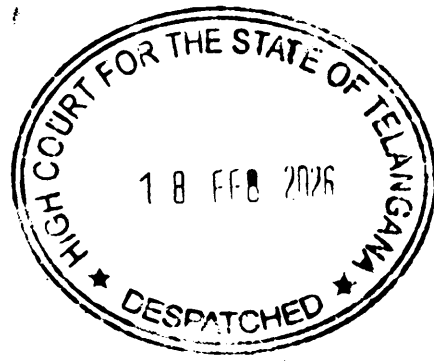
To

1. The II Additional Judicial Magistrate First Class at Nizamabad, Nizamabad District
2. The Station House Officer, Mugpal Police Station, Mugpal, Nizamabad District
3. One CC to SRI P SRINATH Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
5. Two CD Copies

VM/PR

HIGH COURT
DATED: 31/12/2025

ORDER
CRLP.No.16682 of 2025



DISMISSING THE CRIMINAL PETITION

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