

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

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No. 17059 of 2025

DATE: 31.12.2025

Between:

Jeetendara @ Jittu

.... Petitioner/Accused No.1

AND

The State of Telangana,
Rep. by the Station House Officer,
Begum Bazar Police Station, Hyderabad.

.... Respondent

ORDER

Seeking the Court to enlarge the petitioner who is arrayed as accused No.1 in Crime No.125 of 2025 of Begum Bazar Police Station, Hyderabad City, registered for the offences punishable under Sections 8(c) read with 22(c), 27, 27(A), 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act'), and Section 25(1)(A) of the Arms Act.

2. The case of the prosecution is that, on 23.07.2025 on receipt of credible information LW.1 along with his staff and team went to

the spot and found that accused Nos.1 to 3 were in possession of narcotic drug of MD Drug for selling purpose to the needy customers and also for consuming by themselves and the petitioner/accused No.1 is also in possession of arms and ammunition country made pistol which were seized. Basing on the same, the Police registered a case against the accused persons for the above said offences.

3. Heard Sri P. Vikas Raj, 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 the learned counsel for the petitioner is that the petitioner has been in jail since 22.07.2025 and the petitioner is innocent of the said allegations. Though the seized contraband is only 40 gms of MD, the trial Court dismissed the petition stating that it is a commercial quantity. He further submitted that the Investigating officer had earlier shown the contraband as 60 gms instead of seized contraband of 40 gms, only to bring the case within the purview of commercial quantity for the purpose of false implications of the petitioner in the present case. As such, he requested the Court to grant bail.

5. On the other hand, the learned Additional Public Prosecutor opposed the contentions made by the learned counsel for the petitioner, stating that the alleged offence falls under the provisions of the NDPS Act and that the seized contraband constitutes a commercial quantity. In view of Section 37 of the NDPS Act, he contended that the petitioner is not entitled to bail. Hence, prays the Court to dismiss the criminal petition.

6. In the light of the submissions made by both the learned counsel and upon perusal of the material available on record, it appears that the petitioner has been in jail since 22.07.2025 and, as on today, no charge sheet has been filed by the investigating authority and there is no previous indulgence of the petitioner with the similar offence. Considering the facts and circumstances of the case, the period of incarceration of the petitioner, and that even after 50 days of the registration of the FIR, no charge sheet has been filed, this Court deems it fit to grant bail to the petitioner/Accused No.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) each, with two sureties for a like sum each to the satisfaction of the learned XVII Additional

Chief Judicial Magistrate, at Nampally,
Hyderabad.

- ii. The petitioner/A.1 shall appear before the SHO concerned at 11:00 a.m., on every Monday for a period of eight (8) week 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.

K. SUJANA, J

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