IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 3RD DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE S RACHAIAH

CRIMINAL PETITION NO. 1001 OF 2026 (439(Cr.PC)/483(BNSS))

C/W

CRIMINAL PETITION NO. 833 OF 2026 (439(Cr.PC)/483(BNSS))

CRIMINAL PETITION NO. 1114 OF 2026 (439(Cr.PC)/483(BNSS))

CRIMINAL PETITION NO. 1316 OF 2026 (439(Cr.PC)/483(BNSS))

IN CRL.P No. 1001/2026

BETWEEN:

1. MR.PARASURAM,
   AGED ABOUT 34 YEARS
   C/O RAVAT RAM,
   3367/5 B,
   SHAMNUR ROAD,
   NEAR LAXMI FLOOR MILL,
   MCCB BLOCK,
   DAVANAGERE - 577 004.
   CURRENTLY IN JUDICIAL CUSTODY

...PETITIONER

(BY SRI. VIVEK SUBBAREDDY, SENIOR COUNSEL A/W
SRI. GOVARDHAN REDDY J S AND
SMT. HEENA S A, ADVOCATES FOR
SRI. CHAND PASHA, ADVOCATE)

Digitally signed by SREEDHARAN BANGALORE SUSHMA LAKSHMI
Location: High Court of Karnataka

AND:

1. THE STATE OF KARNATAKA
   BY VIDYANAGARA POLICE STATION
   REPRESENTED BY SPP
   HIGH COURT BUILDING – 560 001.

...RESPONDENT

(BY SMT. N ANITHA GIRISH, HCGP)

THIS CRL.P IS FILED U/S 483 BNSS PRAYING TO RELEASE PETITIONER ON BAIL IN CRIME NO.295/2025 REGISTERED BY VIDYANAGAR POLICE STATION FOR ALLEGED OFFENCES PUNISHABLE UNDER 20(b)(II)(A), 8(c), 27 OF NDPS ACT PENDING ON THE PRINCIPAL DISTRICT AND SESSIONS JUDGE, DAVANAGERE AND ETC.,

IN CRL.P NO. 833/2026

BETWEEN:

1. MR. ANWAR BASHA
   S/O SAFIULLA SAB,
   AGED ABOUT 51 YEARS,
   RESIDING AT TURUCHAGATTA VILLAGE,
   BELAVANUR POST,
   DAVANAGERE – 577 002.
   (AS PER AADHAR)

...PETITIONER

(BY SRI. VIVEK SUBBAREDDY, SENIOR COUNSEL A/W
SRI. GOVARDHAN REDDY J S AND
SMT. HEENA S A, ADVOCATES FOR
SRI. CHAND PASHA, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
   BY VIDYANAGARA POLICE STATION
   REPRESENTED BY SPP
   HIGH COURT BUILDING – 560 001.

...RESPONDENT

(BY SMT. ANITHA GIRISH, HCGP)

THIS CRL.P IS FILED U/S 483 BNSS PRAYING TO RELEASE THE PETITIONER ON BAIL IN CR.NO.295/2025 REGISTERED BY VIDYANAGARA POLICE STATION FOR ALLEGED OFFENCES P/U/S 20(b)(II)(A), 8(c), 27 OF NDPS ACT PENDING ON THE PRINCIPAL DISTRICT AND SESSIONS JUDGE, DAVANAGERE AND ETC.,

IN CRL.P NO. 1114/2026

BETWEEN:

1. AJAY A M
S/O LATE M.R.ASHOK,
AGED ABOUT 32 YEARS,
MRF TYRE SHOP OWNER,
NEAR KSRTC BUS STAND,
RESIDING AT
1ST MAIN, 4TH CROSS,
LABOUR COLONY, DAVANAGERE CITY,
AT PREAENT RESIDING AT:
2ND MAIN, 12TH CROSS,
NIJALINGAPPA LAYOUT
DAVANAGERE DISRICT,
PIN CODE : 577 004.

...PETITIONER

(BY SRI. RAJU C N, ADVOCATE)

AND:

1. STATE BY
VIDYANAGARA POLICE DAVANAGERE,
REPRESENTED BY SPP,
HIGH COURT OF KARNATAKA AT BANGALORE
PIN CODE NO: 560 001.

...RESPONDENT

(BY SMT. N ANITHA GIRISH, HCGP)

THIS CRL.P IS FILED U/S 483 BNSS PRAYING TO ENLARGE THE PETITIONERS ON BAIL IN CRIME.NO.295/2025 OF VIDYANAGARA POLICE DAVANAGERE, ON THE FIE OF PRINCIPAL DISTRICT AND SESSIONS JUDGE AT DAVANAGERE, FOR THE OFFENCE P/U 20(b) (ii)(A) 8(c), 25 AND 27 OF NDPS ACT AND ETC.,

IN CRL.P NO. 1316/2026

BETWEEN:

1. VEDAMURTHY S G
AGED ABOUT 53 YEARS,
S/O PARAMESHWARAPPA
#NO.131, NAGANUR ROAD
4TH CROSS, SHAMANURU DAVANGERE,
SOUTH EXTENSION,
DAVANGERE
BANGALORE - 577 004.

...PETITIONER

(BY SRI. SANDESH J CHOUTA, SENIOR ADVOCATE FOR
SRI. SAMPREETH V, ADVOCATE)

AND:

1. STATE OF KARNATAKA
BY VIDYANAGARA POLICE STATION,
DAVANAGERE
REPRESENTED BY SPP
HIGH COURT OF KARNATAKA
HIGH COURT BUILDING,
BANGALORE – 560 001.

...RESPONDENT

(BY SMT. N ANITHA GIRISH, HCGP)

THIS CRL.P FILED U/S 483 BNSS PRAYING TO ALLOW THE BAIL PETITION AND GRANT BAIL TO THE PETITIONER/ACCUSED NO.4 BASED ON FIR CRIME.NO.295/2025 VIDYANAGAR P.S. DATED 22.12.2025 PRODUCED AT ANNEXURE A AND ETC.,

THESE PETITIONS, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE S RACHAIAH

ORAL ORDER

1. The petitioners herein are arrayed as accused Nos.8, 11, 12 and 4 respectively in Crime No.295/2025 filed by the respondent – Police for the offences punishable under Section 20(b)(ii)A, 8(c) of Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short NDPS Act*).

Factual matrix of the case:

2. The case of the prosecution is that on 22.12.2025 at about 2.00 p.m., a *suo-moto* FIR came to be registered by the complainant stating that while he was on patrolling duty, he has received an information that four persons were selling ganja to the public in the J.H.Patel Park. After confirming the said information, the complainant had informed the superiors and obtained permission from them and registered FIR against four unknown persons. A raid was conducted and apprehended accused Nos.1 to 4 and cash has been seized. During the enquiry accused Nos.1 to 3 disclosed about the illegal possession of the contraband. Based on the statements

of the arrested accused, rests of the accused Nos. 8 to 12 have been arrayed in the said case.

3. It is further contended that 89 grams of MDMA and 200 grams of opium drugs were seized which is more than commercial quantity. Therefore, a case came to be registered against all the accused persons for the offences stated *supra*.

4. The contention of the learned counsel for the respective accused is that all the accused are innocent of the alleged offences. Initially, the complaint was registered against only four (04) persons, the remaining accused, who are the petitioners herein were arrayed solely on the basis of the voluntary statement of accused No.4.

5. It is further stated that the mandatory procedure contemplated under Section 52-A of the NDPS Act was not followed. Therefore, the alleged seizure is doubtful. Therefore, the petitioners may be enlarged on bail by

imposing suitable conditions. Making such submissions, learned counsel for the petitioners prays to allow the petition.

6. Per Contra, the learned High Court Government Pleader for respondent vehemently submitted that, under the NDPS Act, the voluntary statement of an accused is admissible against co-accused. Based on the statement of accused No.4, the other accused have been arrayed as accused. The chain link between the accused in respect of selling the ganja had taken place. The specific role of each accused has been explained. Accordingly, all the accused have been named in the remand application.

7. It is further stated that the seized contra-band is of commercial quantity. The petitioners and others were selling the said contra-band in order to spoil the minds of youths. The act committed by the petitioners is a threat to the Nation. If, the petitioners are enlarged on bail, there may be chances of committing similar offences. Therefore, it is not appropriate to grant them bail. Making such submissions

learned High Court Government Pleader prays to reject the petition.

8. Heard the learned Senior Counsel, as well as the respective counsel for the parties, and perused the averments of the complaint along with the remand applications filed with the petitions. The records would indicate that initially, a complaint was registered against four persons for allegedly selling ganja to the public near the park. However, it appears that the present petitioners were arrayed as the remaining accused solely based on the voluntary statement of accused No.4. As rightly, pointed out by the learned Senior Counsel Sri. Sandesh Chouta, that immediately after conducting the seizure of the contra-band, the procedure prescribed under Section 52-A of NDPS Act has to be followed. In the present case no such inventory has been made to substantiate the alleged seizure.

9. Having considering the said aspect, it is appropriate to enlarge the petitioners on bail by imposing

suitable conditions that would take care of the apprehensions of the prosecution.

10. Hence, I proceed to pass the following:

ORDER

1. This Criminal Petition is ***allowed.***
2. The petitioners are ordered to be enlarged on bail in Crime No.295/2025 filed by the respondent – Police for the offences punishable under Section 20(b)(ii)A, 8(c) of Narcotic Drugs and Psychotropic Substances Act, 1985, on executing personal bond for a sum of Rs.1,00,000/- each with one (01) surety each for the like sum to the satisfaction of the Trial Court.
3. The petitioners shall not threaten or tamper the prosecution witnesses nor hamper the proceedings of the Court.

4. The petitioners shall appear before the Trial Court on all hearing dates, without fail.

5. The petitioners shall not involve in any criminal cases till disposal of the case.

In case, if, the petitioners violates any of the bail conditions as stated above, liberty is reserved to the prosecution to file necessary application for cancellation of bail.

Sd/-
(S RACHAIAH)
JUDGE

NM