

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.298 of 2026

29.01.2026

Between:

Tony Sanjay.

PETITIONER

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

RESPONDENT

ORDER

This Criminal Petition is filed praying this Court to enlarge the petitioner on bail who is arrayed as accused No.1 in Crime No.141 of 2025 on the file of the LB.Nagar Police Station, Rachakonda Commissionerate, Hyderabad, registered for the offence punishable under Section 8(c) read with 20(b)(ii)(C) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

2. The brief facts of the case are that on 08.02.2025 at about 18:45 hours, on receiving credible information, D. Narsimha, Sub-Inspector of Police, L.B. Nagar P.S., Rachakonda Commissionerate, apprehended the petitioner/Accused No.1 near Pillar No.8 beside Mal Maisamma flyover, L.B. Nagar, Rangareddy District, and found him in possession of contraband substances, including 5017 grams of ganja and 1951 grams of hash oil. A case under the NDPS Act, 1985 was registered and the petitioner was remanded to judicial custody on 09.02.2025.

3. Heard Sri G.Manoj Goud, learned counsel for petitioner, and Sri D.Arun Kumar, learned Additional Public Prosecutor appearing for respondent - State.

4. Learned counsel for the petitioner submitted that petitioner has been falsely implicated in the crime without any specific allegations or recovery from him, and contended that the offences under Sections 20(b)(ii)(C) and 29 of the NDPS Act do not attract against him as there was no seizure of contraband or cash from his possession. He averred that the police, without conducting proper enquiry, falsely implicated the petitioner. He asserted that the mandatory safeguards

under Section 50 of the NDPS Act were not complied with, as no option was given to the petitioner for search before a Gazetted Officer. He lamented that the written complaint itself lacks clarity regarding seizure of contraband from the petitioner or co-accused, and asserted that continued detention is unwarranted since investigation is complete. Therefore, prayed this Court to allow this criminal petition, granting the relief of bail to petitioner.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner stating that the petitioner/Accused No.1 was apprehended in possession of commercial quantity of contraband, duly seized in the presence of panch witnesses, and hence the plea of false implication is baseless. He further contended that Section 50 NDPS Act is not applicable as the recovery was from possession and not personal search, and emphasized that successive bail applications have already been dismissed before the trial Court with no change in circumstances. He averred that the rigors of Section 37 NDPS Act apply, and the petitioner has failed to satisfy the twin

conditions. Therefore, he prayed the Court to dismiss the criminal petition.

6. Having regard to rival submissions made, and on going through the material placed on record, it is noted that investigation is complete and continued detention of petitioner serves no purpose. Considering the period of incarceration of petitioner, and the facts and circumstances of this case in entirety, this Court deems it fit to grant bail to the petitioner, subject to following the below conditions:

- i. The petitioner shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties for a like sum each, to the satisfaction of the XIII Additional District and Sessions Judge, Cyberabad, Rangareddy District, at LB.Nagar.
- ii. The petitioner shall appear before the concerned SHO at 11:00 a.m., on every Wednesday for a period of eight (8) weeks, for the purpose of investigation, and thereafter, as and when required.
- iii. The petitioner shall abide by the conditions stipulated in Section 480(3) of

the BNSS, earlier known as Section 437(3)
of Cr.P.C.

- iv. In case of violation of any of the above conditions, the prosecution is at liberty to file petition for cancellation of bail.

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 29.01.2026
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