

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

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No. 659 of 2026

DATE: 23.01.2026

Between:

Rasamalla Balamurthi and another

.... Petitioners/
Accused Nos.1 & 2

AND

The State of Telangana,
Through S.H.O., P.S. Excise Nacharam,
Rep. by its Public Prosecutor,
High Court at Hyderabad

.... Respondent/
Complainant

ORDER

This criminal petition is filed under Sections 480 & 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioners/A.1 & 2 seeking enlargement on bail in connection with C.O.R. No.5 of 2025 of Excise Nacharam Police Station. The offence alleged against the petitioners are under Section 8(c) read with 20(b)(ii)(B) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

2. The brief facts of the case are that on 29.12.2025, on reliable information, the complainant conducted an inspection and found the petitioners in possession of 1.150 kilograms of dry ganja and seized the said contraband. Basing on the same, a criminal case was registered against the accused for the alleged offences.

3. Heard Sri Pothamshetti Manoj Kumar, learned counsel appearing on behalf of the petitioners as well as Sri D. Arun Kumar, learned Additional Public Prosecutor appearing on behalf of the respondent-State.

4. Learned counsel for the petitioners submitted that the petitioners are innocent of the said allegations and that the seized contraband i.e., 1.150 kilograms of ganja, constitutes an intermediate quantity. He further submitted that the petitioners have been in judicial custody since 29.12.2025 and that all the material witnesses have been examined and further detention of the petitioners is unwarranted. Therefore, he prayed the Court to grant bail to the petitioners 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, contending that although the seized contraband falls under the category of intermediate quantity, the investigation is

still ongoing and has not yet been completed. Therefore, granting bail to the petitioners, at this stage, does not arise. However, he informed the Court that the petitioners have no criminal antecedents.

6. Considering the submissions of both learned counsel and upon perusal of the material available on record, it is observed that the seized contraband i.e., 1.150 kilograms of dry ganja falls under the category of intermediate quantity and the petitioners has been in judicial custody since 29.12.2025, and a substantial portion of the investigation has already been completed. In view of these circumstances and the quantum of contraband seized, this Court deems it fit to grant bail to the petitioners, subject to the following conditions:

- i. The petitioners shall execute a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only), with two sureties for a like sum each to the satisfaction of the VI Judicial First Class Magistrate Court at L.B. Nagar, Medchal Malkajgiri District.
- ii. The petitioners shall appear before the concerned SHO 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 petitioners 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

Date: 23.01.2026
SS

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.659 of 2026

Date: 23.01.2026

SS