

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.1226 of 2026

DATE: 19.02.2026

BETWEEN:

Avinash @ Vikash Jadhav

.....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.642 of 2025 before the Shamirpet Police Station, Cyberabad Commissionerate, registered for the offence

punishable under Sections 8(C) read with 20(b)(ii)(C), 27(A) and 29 of NDPS Act, 1985.

2. The brief facts of the case are that on 19.07.2025 the Sub-Inspector of Police, Shamirpet, allegedly received credible information about transportation of ganja from Odisha to Hyderabad and apprehended accused No.1 to 3 near Rotary-II, Shamirpet. It was alleged that 41.797 kgs of ganja packed in four rice bags was seized from their possession and that the accused made confessional statements under Section 67 of the NDPS Act admitting transportation of the contraband. The prosecution further stated that the accused were arrested, medically examined and that the seizure and arrest were conducted in the presence of mediators and police officials.

3. Heard Sri Satheesh Kanna, learned counsel appearing on behalf of the petitioner as well as Sri M. Ramachandra Reddy, learned Additional Public Prosecutor appearing on behalf of the respondent – State.

4. Learned counsel for the petitioner submitted that the alleged seizure and confession were illegal and contrary to mandatory procedure, as the complainant himself conducted

the seizure and most witnesses were police officials, with no independent witnesses examined despite the place being a busy public area and that the confession recorded under Section 67 of the NDPS Act was inadmissible and violative of constitutional safeguards, and that the seizure panchanama was prepared even before registration of the FIR, casting serious doubt on the prosecution case. 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. In the light of the submissions made by both the learned counsel and a perusal of the material available on record, it appears that the petitioner is in jail since 19.07.2025. As seen from the record, the material part of the investigation has been completed and L.Ws.1 to 19 witnesses

have been examined. Considering the facts and circumstances of the case and the incarceration period of the petitioner, this Court deems it fit to grant bail to the petitioner, subject to the following conditions:

- i. The petitioner 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 VII Additional Judicial Magistrate of First Class, Cyberabad at Medchal.
- ii. The petitioner 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 petitioner 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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SAI

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