

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.2760 OF 2026

DATE :08.04.2026

BETWEEN:

Kandepalli Shiva Kumar

.....Petitioner/A.3

And

The State of Telangana,
Rep., by its Public Prosecutor,
High Court for the State of Telangana at Hyderabad,
Through P.S.Rajendranagar

.....Respondent/Complainant

: ORDER :

This Criminal Petition is filed under Section 480 & 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 praying this Court to enlarge the petitioner on bail who is arrayed as accused No.3 in Crime No.1207 of 2025 of Rajendranagar Police Station, Cyberabad Commissionerate. The offences alleged against the petitioner are under Sections 8 (C) r/w.22(C), 20(b)(ii)(A), 27 and

29 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

2. The brief facts of the case are that on 06.11.2025 at about 10:00 hours, while the complainant was holding G.D. charge at Rajendranagar Police Station, he received credible information that six persons were in possession of prohibited narcotic drugs, namely MDMA and ganja, and were consuming the same near HBS Puncture Shop on the road towards Vijaya Oil Mill, Aramghar. The said information was reduced into writing and communicated to superior officers in compliance with Section 42(2) of the NDPS Act, and after securing panch witnesses and the Clues Team, a raid was conducted at the said location. During the raid, three persons were found under suspicious circumstances and, on seeing the police, attempted to flee but were apprehended. Upon questioning and search, two zip-lock covers containing white crystals, one packet containing white powder (MDMA), and one paper bag containing ganja were seized from their possession under a panchanama weighing about 18.67 grams of MDMA and 117 grams of Dry ganja. The A.1 to A.3, confessed that they procured MDMA from Bengaluru through an Instagram account and ganja from Odisha, intending to sell the same for monetary gain, and had arrived at

Aramghar, Hyderabad, on 06.11.2025. Hence, case was registered against the accused for the above offences.

3. Heard Sri Ch. Raj Kumar, learned counsel appearing on behalf of the petitioner and Sri M.Ramachandra Reddy, learned Additional Public Prosecutor appearing on behalf of the respondent – State.

4. The learned counsel for the petitioner contends that no specific overt acts are attributed to the petitioner, that petitioner is in jail from 07.11.2025 and that all the material witnesses were examined. He further contended that except the confession of petitioner, there is no other independent evidence to connect the petitioner to the alleged offence. He further contended that nothing was recovered by the police from the possession of petitioner. The petitioner is neither a consumer nor a peddler. Learned counsel further contended that petitioner undertakes to abide by any conditions that may be imposed by this Court and prayed to enlarge the petitioner on bail by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor opposed bail stating that the contraband involved is a huge

commercial quantity and that investigation is still pending. A.4 in this case is a Nigerian and he is absconding. If petitioner is released on bail, he may abscond as he is a resident of Rajahmundry, Andhra Pradesh State and would involve in similar offence. Further, as the contraband involved is a huge commercial quantity in view of rigor of Section 37 of NDPS Act, petitioner is not entitled to bail and prayed to dismiss this petition.

6. Considering the submissions made by both the counsel and the material on record, the petitioner herein is A.3 and he is in jail from 07.11.2025 and charge sheet is not filed till today. Further there are no other cases pending against the petitioner. Considering the facts and circumstances of the case, the period of incarceration, this Court finds it appropriate 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) with two sureties for a like sum each to the satisfaction of the XI-Additional Judicial Magistrate of First Class, Ranga Reddy District at Rajendranagar.
- ii. The petitioner shall appear before the concerned SHO between 09.00 a.m and 5.00 p.m., on every Monday for a period of eight (8) weeks 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 483(2) of the BNSS.

7. Accordingly, the Criminal Petition is allowed.

Miscellaneous petitions, if any, pending shall stand closed.

Date :08.04.2026
Rds

K. SUJANA, J

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