

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION Nos.4546, 4563, 4725 of 2026

DATE: 15.04.2026

Crl.P.No.4546 of 2026

BETWEEN:

Paul Khila

.....petitioner/accused No.2

And

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

.....Respondent/complainant

Crl.P.No.4563 of 2026

BETWEEN:

Pandiri Balaji

.....petitioner/accused No.4

And

The State of Telangana,
Rep. by Public Prosecutor,
High Court for the State of Telangana,

at Hyderabad.

.....Respondent/complainant

Crl.P.No.4725 of 2026

BETWEEN:

Krushna Jalla

.....petitioner/accused No.3

And

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

.....Respondent/complainant

ORDER

These Criminal Petitions are filed praying this Court to enlarge the petitioners on bail who are arrayed as accused Nos.2, 3 and 4 in Crime No.262 of 2025 before the Langer House Police Station, Hyderabad, registered for the offence punishable under Sections 8c, 20(b)(ii)(B), 20(b)(ii)(C), 27A, 27(b), 29 of NDPS Act.

2. The brief facts of the case are that on 12.12.2025, based on credible information, the police apprehended two persons at Langer House and seized about 1.214 kg of ganja from them. On the basis of their alleged confession, a raid was

conducted at a house in Ayyappa Society, Madhapur, where additional quantities of ganja and hash oil (about 5 kg each) along with other incriminating material were seized and multiple accused persons, including the petitioners were arrested.

3. Heard Sri L. Divakara Rao, learned counsel appearing on behalf of the petitioners as well as Sri M. Ramachander Reddy, learned Additional Public Prosecutor appearing on behalf of the respondent – State.

4. Learned counsel for the petitioners submitted that the petitioners are innocent and no contraband was recovered from his possession, as the alleged recovery was from the premises of Accused No.1. He further submitted that mere presence does not establish conscious possession and the case against the petitioners is solely based on inadmissible confessional statements recorded by police, as held in **Tofan Singh v. State of Tamil Nadu**. He further submitted that mandatory provisions under Sections 42, 50, and 52A of the NDPS Act were not complied with, vitiating the prosecution case. Therefore, he prayed the Court to grant bail to the petitioners by allowing these Criminal Petitions.

5. On the other hand, learned Additional Public Prosecutor opposes the bail applications, contending that the petitioners are part of an organized drug trafficking network involving supply and distribution of ganja and hash oil. He further submitted that the seizure of commercial quantity attracts the rigours of Section 37 of the NDPS Act, and the role of the petitioners in assisting the main accused establishes his involvement in the offence. Further, the investigation is not yet completed. At this stage, granting of bail to the petitioners does not arise. Therefore, he prayed the Court to dismiss these criminal petitions.

6. In the light of the submissions made by both the learned counsel and upon perusal of the material available on record, it appears that the petitioners are implicated in a case involving seizure of commercial quantity of contraband i.e., ganja and hash oil. The main allegation against the petitioners/accused Nos.2 and 3 is that they are actively involved in an organized drug trafficking network along with the main accused, and their role is not merely incidental but forms part of a larger conspiracy.

7. However, there are serious and specific allegations against accused Nos.2 and 3, and having regard to the commercial quantity involved, the bar under Section 37 of the NDPS Act squarely applies. Therefore, the Criminal Petition Nos.4546 of 2026 and 4725 of 2026 filed by accused Nos.2 and 3 are liable to be dismissed.

8. As seen from the record, insofar as accused No.4 is concerned, the recovery attributed to him is only ganja, and he is stated to be a Rapido driver. Except this allegation, there are no specific overt acts attributed to him, and no other criminal cases are reported against him. Considering the same, the petition i.e., Crl.P.No.4563 of 2026 filed against accused No.4, this Court deems it fit to grant bail to him subject to the following conditions:

- i. The petitioner/accused No.4 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 II Additional Sessions Judge, Hyderabad.

- ii. The petitioner/accused No.4 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/accused No.4 shall abide by the conditions stipulated in Section 437(3) of Cr.P.C.(presently, Section 480(3) of the BNSS).

9. Accordingly, the Criminal Petition Nos.4546 of 2026 and 4725 of 2026 filed by accused Nos.2 and 3 are dismissed and Crl.P.No.4563 of 2026 filed by accused No.4 is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 15.04.2026
SAI

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION Nos.4546, 4563, 4725 of 2026

Date: 15.04.2026

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