

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION Nos.3157, 4793 & 5046 of 2026

DATE: 24.04.2026

Crl.P.No.3157 of 2026

BETWEEN:

Mohammed Afzal @ Abbu

.....petitioner/accused No.4

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 petitioner on bail who is arrayed as accused No.2, to 4, respectively, in Crime No.360 of 2025 of Bandlaguda

Police Station, Hyderabad. The offences alleged against the petitioner are punishable under Sections 8 (c) r/w. 20(b) (ii) (C), 27(a) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

2. 2. The brief facts of the case are that on 22.10.2025, based on credible information that three persons were transporting ganja in a DCM vehicle bearing No. TS 12 UD 9327 from Chandrayangutta towards Aramgarh, the police informed their superior officer under Section 42(2) of the NDPS Act and obtained oral permission to verify the information. Mediators were deputed, and a route watch was conducted near O.S. Palace Function Hall, Bandlaguda. At about 14:30 hours, the suspected vehicle was intercepted. The driver identified himself as Mohammed Kaleem Uddin, and the two others as Shaik Sohail and Mohammed Afzal. On questioning, they admitted that they were transporting ganja from Odisha to Nasik, Maharashtra. A total of 444 packets of dry ganja, wrapped in brown tape and packed in 28 HDPE bags, were seized from their possession. Hence, a case was registered against the accused for the above offences.

3. Heard Sri G.Anil Kumar, learned counsel appearing on behalf of the petitioner in Crl.P.No.3157 of 2026, Sri Swathi Sharma, learned counsel appearing on behalf of the petitioner in Crl.P.No.4793 of 2026 and Sri P. Manoj, learned counsel appearing on behalf of the petitioner in Crl.P.No.5046 of 2026 and Sri M.Ramachandra Reddy, learned Additional Public Prosecutor appearing on behalf of the respondent – State.

4. Learned counsel for the petitioners submitted that the petitioners have been in jail since 23.10.2025, and even after 180 days, no charge sheet has been filed. Though the prosecution filed an application seeking an extension of six months to complete the investigation and also sought extension of the remand of the accused beyond 180 days, the trial Court partly allowed the application, permitting the Investigating Officer to continue the investigation beyond 180 days. However, the request with regard to detention beyond 180 days was rejected. Therefore, he prayed that the Court grant bail to the petitioners by allowing these criminal petitions.

5. On the other hand, the learned Additional Public Prosecutor opposed the bail, contending that, in the absence

of any extension petition before the trial Court, the petition has become infructuous, and prayed that the Court pass appropriate orders.

6. In the light of the submissions made by both the learned counsel and a perusal of the material available on record and also considering the order of the trial Court, it appears that the petitioners are in jail since 23.10.2025. As seen from the record, though the prosecution filed an application seeking extension of time to complete the investigation beyond 180 days, the trial Court only permitted continuation of the investigation and declined to extend the detention of the petitioners beyond the statutory period. Admittedly, no charge sheet has been filed within 180 days from the date of arrest, and there is no valid order extending the period of detention in accordance with law. In such circumstances, the petitioners have accrued a statutory right to be released on bail. Further, having regard to the fact that the petitioners have been in judicial custody since 23.10.2025 and the prolonged period of incarceration without completion of investigation, this Court deems it fit to grant bail to the petitioner, subject to the following conditions:

- i. The petitioners 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 Chief Judicial Magistrate, Nampally, Hyderabad.
- 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, these Criminal petitions are allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

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SAI

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