IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

WEDNESDAY, THE TWENTY NINTH DAY OF APRIL TWO THOUSAND AND TWENTY SIX

PRESENT

THE HON'BLE SRI JUSTICE J.SREENIVAS RAO

CRIMINAL PETITION NO: 6752 OF 2026

Between:

MOHD GHOUSE KHAN, S/o. MOHD HABEEB KHAN, Age: 55 years, Occ: Driver, R/o. 8-3-237/7/79/A/6 P, Laxmi Narasimha Nagar, Yousufguda, Hyderabad – 500045.

...Petitioner/Vehicle Owner

AND

1. The State of Telangana, Rep. by its Public Prosecutor, High Court Buildings, Hyderabad - 500 066.
2. Sub Inspector of Police, PS Bhadrachalam Town, Bhadrachalam. (De-Facto Complainant)

...Respondents

Petition under Section 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to reduce the amount passed in Order dated 02-03-2026 in Crl MP No. 56 of 2026 in Crime No.356 of 2025, PS Bhadrachalam Town by Learned Special Sessions Judge for NDPS Act-cum-I Addl Sessions Judge, Kothagudem District at Kothagudem, in the exercise inherent powers under Sec 482 C-DC or Sec 528 BNSS to meet the ends of Justice.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Mr. Syed Ahmed, Advocate for the Petitioner and Mr. Jithender Rao Veeramalla, Additional Public Prosecutor on behalf of the Respondents.

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HONOURABLE SRI JUSTICE J.SREENIVAS RAO

CRIMINAL PETITION No.6752 of 2026

Date: 29.04.2026

Between:

Mohd Ghouse Khan

...Petitioner

AND

The State of Telangana and another.

...Respondents

Order:

This Criminal Petition has been filed aggrieved by the order dated 02.03.2026, passed by the learned Special Sessions Judge for the Trial of Cases under Narcotic Drugs and Psychotropic Substances Act-cum-I Additional Sessions Judge, at Kothagudem (for short, 'the trial Court') in Crl.M.P.No.56 of 2026 in Crime No.356 of 2025, insofar as to the extent of directing the petitioner to execute a personal bond for Rs.10,00,000/- with two solvent sureties is concerned.

2. Heard Mr. Syed Ahmed, learned counsel for the petitioner, and Mr.Jithendar Rao Veeramalla, learned Additional Public Prosecutor, appearing on behalf of respondents.

3. With the consent of both the learned counsel, this criminal petition is disposed of at the stage of admission.

4. Learned counsel for the petitioner submitted that the petitioner is the owner of the vehicle i.e., Goods Carriage Ashok Leyland Ltd., bearing No.TS-07-UC-6969 and the said vehicle was seized by the Bhadrachalam Town Police, in connection with Crime No.356 of 2025 for the offences under sections 8(c) read with 20(b)(ii)(C), 27(A), and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985. The petitioner is not an accused in the said crime and he is the owner of the said vehicle. He filed Crl.M.P.No.56 of 2026, seeking interim custody of vehicle. The learned trial Court, while allowing the said application, imposed onerous condition, directing the petitioner to execute a personal bond of Rs.10,00,000/- with two solvent sureties. The value of the said vehicle is below Rs.10,00,000/- and the petitioner is eking out his livelihood depending upon the income arrived from the said vehicle. Unless this Court modifies the said condition, the petitioner will be put to great hardship and the petitioner is ready and willing to comply with the other conditions imposed by the trial Court. He further requested this Court that the time which was granted by the trial Court may be extended.

5. Learned Additional Public Prosecutor submitted that the vehicle is involved in a heinous offence and the trial Court rightly imposed cost while allowing the application and there are no grounds to interfere with the cost imposed by the trial Court.

6. Having considered the submissions made by the respective parties and upon perusal of the material available on record, it reveals that the learned trial Court, on 02.03.2026, while allowing the application filed by the petitioner, granted interim custody of the vehicle subject the condition that the petitioner shall execute a personal bond of Rs.10,00,000/- with two solvent sureties and also imposed other conditions.

7. Taking into consideration the peculiar facts and circumstances and the submissions made by the learned counsel for the petitioner, this Court is inclined to modify the condition No.1, imposed by the trial Court. Hence, the petitioner is directed to execute a bond of Rs.2,00,000/- (Rupees Two Lakh only) with two solvent sureties to the satisfaction of the learned trial Court and shall comply with the conditions within a period of four (4) weeks from today. The other conditions imposed by the trial Court shall remain unaltered.

8. With the above said modification, the criminal petition is disposed of.

Miscellaneous applications, pending if any, shall stand closed.

SD/- K.BHAVANI SWAMY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Special Sessions Judge for NDPS Act-cum-I Addl Sessions Judge, Kothagudem District at Kothagudem
2. The Station House Officer, Bhadrachalam Town Police Station, Bhadradri Kothagudem District.

3. One CC to Mr. Syed Ahmed, Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
5. Two CD Copies

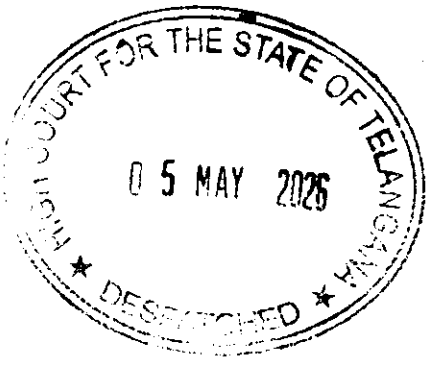
KAM/KA

HIGH COURT

DATED: 29/04/2026

ORDER

CRLP.No.6752 of 2026



DISPOSING OF THE CRIMINAL PETITION

(8)

kpr

4/5/26