

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.5404 OF 2026

DATE: 04.05.2026

Between:

Pawar Madhav

...Petitioner/Accused No.1

And

The State of Telangana,

Through Public Prosecutor,

High Court 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.1 in Crime No.107 of 2026 on the file of the Ichoda Police Station registered for the offences punishable under Sections 8(b) read with 20(a)(i) of NDPS Act.

2. The facts of the case are that the petitioner was arrayed as accused No.1. On 09.03.2026, the de facto complainant conducted a raid and discovered that the petitioner, along with other accused persons, was cultivating ganja (cannabis) plants on agricultural land situated in Survey Nos.35 and 40 at the outskirts of Heerapur village, Ichoda Mandal. During the raid, 420 ganja plants, valued at approximately Rs. 42,00,000/-, were seized.

3. Heard Sri Soma Ravi Kiran Reddy, learned counsel appearing on behalf of the petitioner as well as Sri M.Rama Chandra Reddy, learned Additional Public Prosecutor appearing on behalf of the respondent – State.

4. Learned counsel for the petitioner submits that the petitioner has been in judicial custody since 09.03.2026. It is contended that the petitioner is not involved in the seized contraband, as alleged by the investigating agency. Therefore, the rigours of Section 37 of the NDPS Act are not attracted to the present case. It is further submitted that the investigation has already been completed. Hence, the learned counsel prayed that this Court may be pleased to grant bail to the petitioner by allowing the present criminal petition.

5. On the other hand, the learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner, contending that the petitioner was found in possession of a commercial quantity of contraband, which is punishable under the NDPS Act. It is submitted that, in view of the statutory bar under the Act, the question of granting bail to the petitioner does not arise at this stage. Therefore, he prayed that this Court may be pleased to dismiss the criminal petition.

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 petitioner had been in judicial custody since 09.03.2026. However, no material has been placed before this Court to clearly indicate the exact weight of the ganja seized or to establish proper seizure of the alleged ganja plants. The seizure report also does not disclose complete and satisfactory details in this regard. 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 I Additional Sessions Judge, Adilabad.

- ii. The petitioner shall appear before the concerned SHO between 11:00 a.m. and 5:00 p.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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SPD

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