

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.5478 OF 2026

DATE: 04.05.2026

Between:

Kamble Mukund Rao

...Petitioners/Accused Nos.1 and 2

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 petitioners on bail who is arrayed as accused Nos.1 and 2 in Crime No.63 of 2026 on the file of Boath Police Station, Adilabad District registered for the offences punishable under Sections 8(c), 8(b) read with 20(a)(i) of NDPS Act.

2. The facts of the case are that the petitioners were arrayed as accused Nos.1 and 2. On 15.03.2026, the de facto complainant received credible information that a person would

be arriving from the Chinthalabori side carrying a white bag. Upon receipt of the said information, the de facto complainant made a GD entry and informed his superior officers. Thereafter, the de facto complainant, along with other staff, conducted a raid at the specified location and seized two ganja plants. It is further alleged that accused No.1, an agriculturist, had cultivated ganja in Survey No. 43/A/3 of Chinthalabori village. Upon inspection 74 ganja plants valued at approximately Rs.7,40,000/-, were found and seized.

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

4. Learned counsel for the petitioners submits that the petitioners have been in judicial custody since 15.03.2026. It is contended that the petitioners are 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 petitioners 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 petitioners, contending that the petitioners were 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 petitioners 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 petitioners have been in judicial custody since 15.03.2026. 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 petitioners, this Court deems it fit to grant bail to the petitioners, 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 learned I Additional Sessions Judge, Adilabad.

- ii. The petitioners 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 petitioners 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

Date: 04.05.2026
SPD

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