

**IN THE HIGH COURT FOR THE STATE OF TELANGANA AT
HYDERABAD**

THE HONOURABLE SRI JUSTICE E.V.VENUGOPAL

CRIMINAL PETITION No.7651 of 2026

Date: 14.05.2026

Between:

D. Yadagiri @ Dakuri Yadagiri @ Giri

..Petitioner/Accused No.3

And

State of Telangana,
Through Bowenpally,
Rep. by its Public Prosecutor,
High Court for the State of Telangana,
at Hyderabad.

..Respondent/Complainant

:: ORDER ::

This Criminal Petition is filed seeking the Court to enlarge the petitioner who is arrayed as accused No.3 in Crime No.351 of 2025, registered for the offences punishable under Sections 8(c), 20(b)(ii)(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

2. Heard Sri Mahesh Muddala, learned counsel appearing on behalf of the petitioner as well as Sri M. Ramachandra Reddy, learned Additional Public Prosecutor appearing on behalf of the respondent-State.

3. Learned counsel for the petitioner submitted that the petitioner is innocent of the alleged offences, that no contraband was recovered from him, and that he was not present at the place of offence but has been falsely implicated in the present case. He further submitted that the police did not comply with the mandatory provisions of the NDPS Act, and the seized contraband constituted only an intermediate quantity, and that the petitioner had been in judicial custody since 24.02.2026. He further contended that all the material witnesses have been examined and that co-accused A1 and A2 have been granted bail by this Court. Therefore, he prayed the Court to grant bail to the petitioner by allowing this criminal petition.

4. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner, contending that the allegations against the petitioner are under the provisions of NDPS Act and the investigation was still ongoing. Hence, in view of Section 37 of the NDPS Act, the petitioner was not entitled to bail, and prayed the Court to dismiss the petition.

5. Considering the submissions of both learned counsel and upon perusal of the material available on record, it is observed from the remand report and the seizure report that each bottle

contained 5 grams of hash oil and that there were 175 bottles in total, amounting to 875 grams of hash oil. However, in the overall calculation, the contraband was wrongly mentioned as 1265 grams by including the weight of the plastic bottles. As per law, 1000 grams of hash oil constitutes a commercial quantity, and excluding the weight of the bottles, the actual contraband seized comes to 875 grams of hash oil, which falls within the category of intermediate quantity. It is further noted that the petitioner has been in judicial custody since 24.02.2026 and that a substantial portion of the investigation has already been completed. In view of these circumstances, 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 Thousand only), with two sureties for a like sum each to the satisfaction of the learned XI Additional Chief Judicial Magistrate at Secunderabad.
- ii. The petitioner shall appear before the concerned SHO at 11:00 a.m., on every Monday for a period of eight (8) weeks or till filing of charge sheet whichever is earlier, for the purpose of investigation, and thereafter, as and when required.

- iii. The petitioner shall not leave the country without prior permission of the concerned Court and surrender his passport before the Court concerned.
- iv. The petitioner shall abide by the conditions stipulated in Section 437(3) of Cr.P.C. (presently, Section 480(3) of the BNSS).

6. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

E.V.VENUGOPAL, J

Date: 14.05.2026
SS/LK

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SS