

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

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION Nos.7828 and 7843 of 2026

DATE: 12.06.2026

Between:

Mohan Manikandan
S/o. Mohan.

.... Petitioner/
Accused No.1

AND

The Superintendent of Customs
(Preventive) Hyderabad Customs
Commissionerate, GST Bhavan,
Basheer Bagh, Hyderabad, rep.
By Special Public Prosecutor,
High Court for the State of
Telangana.

.... Respondent
Complainant

COMMON ORDER

These two Criminal Petitions are filed under Sections 480 & 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioners/Accused Nos.1 and 2 respectively seeking to enlarge them on bail in connection with Crime No. HQPOR No.09/2026-CUS (PREV) on the file of Customs Preventive, Customs Commissionerate, Hyderabad, The offences alleged against the petitioners are punishable under Sections 20, 23 and 29 of the NDPS Act, 1985.

2. The case of the prosecution is that based on the passenger profiling, the petitioners-accused Nos.1 and 2 were travelling from Kuala Lumpur to Hyderabad by Air Asia Airlines flight, which landed on 02.05.2026 at around 23:00 hours at the RGI Airport, Hyderabad, suspected to be carrying some contraband, the officers of AIU, in the presence of independent witnesses, intercepted the petitioner-accused No.1 and seized 5800 grams of substance suspected to be ganja, a narcotic substance specified under the NDPS Act which was concealed in false chambers found in 2 blue coloured bags. It is stated that upon questioning about the contents of the bags, he confessed that those bags were handed over to him by an unknown person in Kuala Lumpur, Malaysia and he confessed that he handed over the same to the receiver waiting at Airport

3. Heard Sri Syed Osman, learned counsel for the petitioners/Accused Nos.1 and 2 and Sri M.Ramachandra Reddy, learned Additional Public Prosecutor, appearing for the respondent-State.

4. The contention of learned counsel for the petitioners is that the petitioners are innocent of the offences alleged against them and they were falsely implicated in this

case; that the seized contraband i.e., 5800 grams is an intermediate quantity; that the petitioners were in judicial custody since 03.05.2026; that the petitioners were in jail for more than 45 days; that as entire investigation is completed, further interrogation of the petitioners is not required, as such requested the Court to grant regular bail to the petitioners.

5. On the other hand, learned counsel for the respondent opposed the same and submits that though the seized contraband is 5800 grams, the same was imported from India to Malaysia, which comes under Section 27 (a) of the NDPS Act and as such Section 37 of the NDPS Act applies to the present case and therefore, the petitioners are not entitled for bail at this stage and investigation is also not completed and hence, he prays to dismiss the petitions.

6. Considering the submissions made by the learned counsel for both parties, although the learned counsel for the respondent contended that Section 27(a) of the NDPS Act is applicable, the alleged offences against the petitioners are under Sections 20, 23 and 29 of the NDPS Act. Since the quantity of contraband allegedly seized is an intermediate quantity, the rigours of Section 37 of the NDPS Act are not attracted. The petitioners

were in judicial custody since 03.05.2026. Considering the period of incarceration of the petitioners in judicial custody and quantity of ganja seized, this Court deems it fit to grant regular bail to the petitioners/Accused Nos.1 and 2 subject to the following conditions:

- (i) The petitioners-accused Nos.1 and 2 shall execute 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 XXV Additional Judicial Magistrate, Rajendarnagar, Cyberabad, Ranga Reddy District.
- (ii) On such release, the petitioners-accused Nos.1 and 2 shall appear before the respondent authorities between 09:00 a.m., and 5:00 p.m., on every Wednesday 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 petitioners-accused Nos.1 and 2 shall abide by the conditions stipulated in Section 437 (3) of Cr.P.C. (presently, Section 480 (3) of BNSS).

7. Accordingly, these two Criminal petitions are allowed.

Miscellaneous petitions, if any, pending shall stand closed.

K. SUJANA, J

Date: 12.06.2026
YVL