

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.9176 OF 2026

DATE : 30.06.2026

Between :

Kukatla Nitesh Kumar Yadav
@Nash @ Nanu
S/o. K.Malles.

...Petitioner/
Accused No.3

And

The State of Telangana,
Rep.by its Public Prosecutor,
High Court for the State,
Hyderabad.
Through SHO, PS Suraram,
Cyberabad.

... Respondent
Complainant

ORDER

This Criminal Petition is filed under Sections 480 & 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner/Accused No.3 seeking to enlarge him on bail in connection with Crime No.790 of 2025 on the file of Suraram Police Station, Quthbullapur Mandal, Medchal-Malkajgiri District. The offence alleged against the petitioner is punishable under Section 8 (C)

read with 22 (C), 20 (b)(ii)(A) 27 (b) and 29 of the NDPS Act, 1985.

2. The case of the prosecution is that a complaint, dated 26.12.2025 received from Sub-Inspector of Police Suraram PS, in which it is stated that on 26.12.2025 at 1930 hours, complainant received a credible information about some persons are in illegal possession and sale of MDMA and Ganja a psychotropic substance and was consuming the same at Medchal-Malkajgiri, which is an offence punishable under the provisions NDPS Act.

3. Heard Sri G.R.Krishna Prasad, learned counsel for the petitioner/Accused No.3 and Sri D.Arun Kumar, learned Additional Public Prosecutor, appearing for the respondent-State.

4. The contention of learned counsel for the petitioner is that the petitioner is innocent of the offence alleged against him; that no contraband seized from the possession of the petitioner; that the petitioner has not violated any of the conditions; that the petitioner has been in judicial custody since 27.12.2025; that even after lapse of six months, no charge sheet is filed and hence, he prays this Court to grant regular bail to the petitioner.

5. On the other hand, the learned Additional Public Prosecutor opposed the bail application and submits that the offence alleged against the petitioner is punishable under the provisions of the NDPS Act. He further submits that 51 grams of MDMA was seized from the possession of the petitioner, which constitutes a commercial quantity under the Act. He further submits that in view of rigor under Section 37 of the NDPS Act, the petitioner is not entitled for grant of bail and hence, he prays to dismiss the petition.

6. Considering the submissions made by learned counsel for the petitioner and learned Additional Public Prosecutor, even after completion of 186 days, no charge sheet is filed nor extension petition is filed. As seen from the record, the quantity seized from the possession of the petitioner is 51 grams of MDMA. Considering the above, the quantity of ganja seized is commercial in nature. As no charge sheet is filed after 180 days, this Court deems it fit to grant bail to the petitioner/Accused No.3 subject to the following conditions:

- (i) The petitioner-accused No.3 shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two

sureties for a like sum each to the satisfaction of the learned I Additional District and Sessions Judge, Medchal-Malkajgiri District at Kushaiguda.

- (ii) On such release, the petitioner-accused No.3 shall appear before the concerned S.H.O. 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 petitioner-accused No.3 shall abide by the conditions stipulated in Section 437 (3) of Cr.P.C. (presently, Section 480 (3) of BNSS).

7. Accordingly, the Criminal petition is allowed.

Miscellaneous petitions, if any, pending shall stand closed.

K. SUJANA, J

Date: 30.06.2026

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