

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

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.9288 of 2026

DATE: 03.07.2026

Between:

Mr. Deepak Josekutty

.... Petitioner/accused

AND

The Superintendent of Customs (Preventive)
Hyderabad Customs Commissionerate,
GST Bhavan, Basheer Bagh, Hyderabad.

.... Respondent/Complainant

ORDER:

This Criminal Petition is filed seeking the Court to enlarge the petitioner on bail, who is arrayed as accused in HQPOR No.11/2026-CUS (PREV) (C.No.AirCus/49/Adjn/30/2026/AIU-B) on the file of the learned III Additional Junior Civil Judge-cum-XXV Additional Judicial Magistrate of First Class, R.R. District, at Rajendranagar, registered for the offences punishable under Sections 20, 23 and 29 of the NDPS Act, 1985.

2. The brief facts of the case are that, based on the DRI Information, the officers of Customs, RGIA, AIU-B team has suspected the petitioner herein travelling from Hong Kong to Hyderabad by Cathay Pacific Airlines flight on 30.05.2026, to be carrying some contraband. The officers of Air Intelligence Unit (AIU-B), Customs, Rajiv Gandhi International Airport (RGIA) in the presence of independent witnesses carried out the seizure of a total 7118.000 grams of substance, suspected to be Ganja/Hydroponic, a narcotic substance specified under the NDPS Act which was concealed in 28 sealed packets wrapped in blue colour carbon papers in one check-in baggage i.e. Trekking Bag of “Wildcraft” Brand in Black and Blue Colour having Tag Number CX 555738 and the same was seized and a case was registered against him for the above said offences.

3. Heard Sri Khaja Arajuddin, learned counsel appearing on behalf of the petitioner as well as Sri Dominic Fernandes, learned Senior standing counsel for CBIC appearing for the respondent.

4. Learned counsel for the petitioner submitted that the petitioner is innocent of the said allegations and he is

falsely implicated in this case and he is arrayed as accused and he is in jail since 31.05.2026 and the seized contraband is 7118.000 grams of substance, suspected to be Ganja/Hydroponic, which is an intermediate quantity and the entire investigation was already completed. He further submitted that there are no other cases pending against the petitioner herein. Therefore, he prayed the Court to grant bail to the petitioner by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner stating that the alleged offences are of the NDPS Act, as such, he is not entitled for the bail. However, he submitted that though the seized contraband is only 7118.000 grams of substance, suspected to be Ganja/Hydroponic, which was brought by the petitioner from Hong Kong to Hyderabad at higher value than the normal ganja. Further, the investigation is not yet completed. Therefore, he prayed the Court 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 herein is in jail from 31.05.2026 and the seized contraband 7118.000 grams of substance, suspected to be Ganja/Hydroponic, which is an intermediate quantity and the entire investigation was already completed. Further, there are no other cases pending against the petitioner. Considering the facts and circumstances of the case, the nature of the allegations, the stage of investigation, the period of incarceration undergone by the petitioner and the seized contraband, this Court finds it appropriate 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), with two sureties for a like sum each to the satisfaction of the learned XXV Additional Judicial Magistrate, at Rajendranagar, Cyberabad, R.R. District.

- ii. The petitioner shall appear before the AIU-B, Customs, RGIA, Hyderabad at 11:00 a.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 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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