IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HON'BLE SRI JUSTICE B.R.MADHUSUDHAN RAO

CRIMINAL PETITION No.15354 of 2026

CNR.No.HBHC010645512026

DATE: 12.10.2026

BETWEEN:

Nibiya KB @ Amu

.....Petitioner-Accused No.4

And

The State of Telangana,
Through P.S. Vanasthalipuram,
Rep. by its Public Prosecutor,
High Court at Hyderabad.

.....Respondent-Complainant

ORDER

1. This Criminal Petition is filed under Sections 480 & 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') praying this Court to enlarge the petitioner-A4 on bail in connection with Crime No.1537 of 2026 of Vanasthalipuram Police Station, Malkajgiri District, registered for the offences punishable under Section 8(c) read with Section 20(b)(ii)(c) and 29 of the NDPS Act, 1985 and Section

78 of the Juvenile Justice (Care and Protection of Children) Act, 2015.

2. Heard Sri Ch.Raj Kumar, learned counsel for the petitioner-A4 and Sri D. Arun Kumar, learned Additional Public Prosecutor appearing for the respondent–State.

3. Learned counsel for the petitioner submits that the police have completed material part of the investigation and examined L.Ws.1 to 7, there is no apprehension of the petitioner-A4 tampering with the evidence. Petitioner-A4 and accused No.3 were arrested on 17.08.2026 and remanded to judicial custody on the same day and that she has been in judicial custody since then. The petitioner-A4 is resident of Bismillah Apartment, Marathalli Multiplex, Bangalore, and is suffering from a chronic spinal problem, besides other ailments. She has been undergoing treatment at Ayushman Hospital for the past three months. During the course of investigation, the police allegedly recorded the confession of the petitioner-A4 regarding the commission of the offence. Petitioner-A4 has a ten-month-old child by name Mr. Baby Ishan and, therefore, prayed to enlarge the petitioner-A4 on bail.

4. Learned Additional Public Prosecutor has filed medical certificate issued by the Medical Officer, Special Prison for Women, Hyderabad. It is stated in the Medical Certificate that the child, namely Baby Ishan boy of 6834(Nibiya), was admitted to the prison on 18.08.2026. The child is a known case of seizures even prior to admission and is on medication, with regular follow-up at Niloufer Hospital. The child is being monitored round the clock by the hospital staff at the prison hospital. Baby Ishan was admitted to Niloufer Hospital on 01.10.2026 due to high fever (viral pyrexia) and was subsequently discharged on 04.10.2026. The medical certificate is taken on record.

5. Complaint is lodged by Mr. G. Girish Kumar, Sub-Inspector of Police, Vanasthalipuram Police Station, on 17.08.2026, stating that he and his staff intercepted Mr. G. Srinu, Nibiya K.B. @ Ammu (the petitioner herein), Panga Srinu @ Dilraju, Chikkudu Saran, Killo Srinu and Mr. Pangi Jagadish @ Jagga, and recovered 12.4 kilograms of hashish oil from them. Basing on the said complaint, FIR came to be registered by the police.

6. Petitioner-A4, along with A3-G. Srinu, A5-Ch. Saran and A6-Jagadish @ Jagga, were arrested on 17.08.2026 and remanded to judicial custody on the same day. Since then they are in judicial custody.

7. The remand case diary reveals that A1-Krishna and A2-Sijio are absconding. Respondent has examined altogether 14 witnesses.

8. On a perusal of the medical certificate issued by the Medical Officer, Special Prison for Women, Hyderabad, it is evident that the child of the petitioner-A4, namely Baby Ishan, had a history of seizures even prior to admission of A4 to the prison and is receiving medication and regular medical follow-up. The child is also being monitored round the clock. Further, the child was admitted to Niloufer Hospital on 01.10.2026 due to high fever and was discharged on 04.10.2026.

9. Having regard to the medical condition of the child of the petitioner-A4, this Court is inclined to enlarge the petitioner-A4 on bail. Other accused cannot take parity of the order.

10. This Court is conscious of the fact that the petitioner-A4 is a resident of Kerala. If local sureties are ordered it will meet the ends of justice. Hence, petitioner-A4 is entitled to be enlarged on bail, subject to the following conditions:

i. The petitioner-A4 shall execute a personal bond for a sum of Rs.25,000/- (Rupees twenty Five thousand only), with two local sureties for a like sum each to the satisfaction of the learned I Additional Junior Civil Judge Cum-VII Additional Judicial Magistrate of First Class, Ranga Reddy District at Hayathnagar.

ii. The petitioner-A4 shall appear before the concerned SHO between 10 a.m. to 5 p.m., on every Sunday 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-A4 shall abide by the conditions stipulated in Section 437(3) of Cr.P.C.(presently, Section 480(3) of the BNSS).

iv. The petitioner-A4 shall not directly or indirectly influence, threaten, or induce any of the prosecution witnesses.

v. Petitioner-A4 shall not involve in any similar offences.

vi. It is made clear that if any of the conditions imposed by this Court are violated, the prosecution is at liberty to file an application for cancellation of the bail.

11. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

_____

B.R.MADHUSUDHAN RAO, J

Date: 12.10.2026
ssm

THE HON'BLE SRI JUSTICE B.R.MADHUSUDHAN RAO

CRIMINAL PETITION No.11279 of 2026

Date: 25.08.2026

yvl