IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

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

CRIMINAL PETITION No.17316 of 2026

(CNR.No. HBHC010706462026)

DATE: 02.11.2026

BETWEEN:

Sheguri Vignesh.

.....Petitioner-Accused No.1

And

The State of Telangana,
Rep. by the Station House Officer,
P.S. Sanathnagar, Hyderabad.

.....Respondent-Complainant

ORDER

1. This Criminal Petition is filed under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') praying this Court to enlarge the petitioner-accused No.1 on bail in connection with FIR.No.538 of 2026 of Sanathnagar Police Station, Hyderabad, registered for the offence punishable under Section 8(c) read with 20(b)(ii)(B), and Section 29 of the NDPS Act, 1985.

2. Heard Sri Gurram Sridhar, learned counsel for the petitioner-accused No.1 and Sri D. Arun Kumar, learned Additional Public Prosecutor appearing for the respondent–State.

3. Learned counsel for the petitioner submits that the remand case diary demonstrates that substantial and material steps of investigation have already been completed, the alleged contraband was already recovered, weighed, packed, sealed and marked and the mobile phones were seized and the material witnesses are examined. Remand case diary specifically records examination of LWs.1 to 7 during investigation and inspection of the alleged scene of offence. The alleged quantity of ganja is approximately 5 kilograms, which is below the notified commercial quantity of 20 kilograms. Section 37 of the NDPS Act is not attracted. The prosecution cannot seek to convert the seriousness of an NDPS allegation into an absolute bar against bail where the alleged quantity is admittedly below commercial quantity. The allegation that the petitioner-accused No.1 and the co-accused decided to procure ganja from Odisha and sell the same at higher price is substantially based upon the alleged version/disclosure attributed to the accused persons during Police proceedings, such statement cannot be treated as substantive evidence. Petitioner-accused no.1 is ready and

willing to appear before the Investigating Officer as and when required and the case is presently projected as an intermediate quantity and prayed to enlarge petitioner-accused No.1 on bail.

4. Learned Additional Public Prosecutor submits that the contraband which is seized is 5 kgs of ganja.

5. Sri G.Mallesham, has lodged a report before P.S., Sanathnagar on 05.09.2026. It is stated in the complaint that he received credible information that three persons aged in between 20 to 25 years are regularly coming to Sanathnagar industrial area, beside SBI Bank street, railway track and selling prohibited narcotic drug ganja to customers. Believing the information to be true and correct, he made GD entry and informed his superior officers and secured mediators and reached Sanathnagar industrial area, beside SBI Bank street, railway track. On the same day at about 15:30 hours the informant has identified the suspect who came near Sanathnagar industrial area, beside SBI Bank street, railway track, carrying black colour bag waiting for customers within area and also found two other persons and took all the three persons into custody. First person by name Sheguri Vignesh-accused No.1 was carrying black colour bag and other two person names are M.Vamshi and M.Sanjay, on enquiry, they

informed that transporting ganja is an offence. From the bag of accused No.1 they recovered two packets of ganja wrapped in brown colour tape and in the first packet, it is weighed about 2.017 kgs and in the second packet it is weighed about 2.500 kgs totally 5 kgs of ganja, which falls in intermediate quantity. Basing on the said complaint, FIR came to be registered.

6. Petitioner-accused No.1, accused No.2- M.Vamshi and accused No.3-M.Sanjay were arrested and remanded to judicial custody on 05.09.2026. In the remand case diary, it is stated that accused No.4-Dinesh, accused No.5-Shabu and accused No.6-Sandeep are absconding. Remand case diary goes to show that respondent has altogether examined 11 witnesses in support of the case.

7. Petitioner-accused No.1 has filed Crl.M.P.No.1339 of 2026 before the learned Sessions Court for grant of regular bail, the same came to be dismissed *vide* order dated 30.09.2026 with an observation that investigation is pending.

8. The contraband which is seized from the possession of the petitioner-accused No.1 falls in intermediate quantity, furthermore he is in jail since 05.09.2026.

9. The remand case diary goes to show that major portion of the investigation is completed, detaining the petitioner-accused No.1 further in judicial custody will not serve the purpose. Hence, the petitioner-accused No.1 is entitled to be enlarged on bail, subject to the following conditions:

i. The petitioner-accused No.1 shall execute a personal bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only), with two sureties for a like sum each to the satisfaction of the XII Additional Judicial Magistrate of First Class, M.M District, Kukatpally.

ii. The petitioner-accused No.1 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-accused No.1 shall abide by the conditions stipulated in Section 437(3) of Cr.P.C.(presently, Section 480(3) of the BNSS).

iv. The petitioner-accused No.1 shall not directly or indirectly influence, threaten, or induce any of the prosecution witnesses.

v. It is made clear that if any of the above conditions are violated, the prosecution

is at liberty to file an application for cancellation of the bail.

10. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

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B.R.MADHUSUDHAN RAO, J

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