IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

HON'BLE SMT. JUSTICE JUVVADI SRIDEVI

CRIMINAL PETITION Nos.17832 and 17765 of 2026

12TH NOVEMBER, 2026

Criminal Petition No.17832 of 2026
(C.N.R.No.HBHC010746322026)
Between:

Mahesh Dilip Wandhare … Petitioner-accused No.2

AND

The State of Telangana and another …Respondents

Criminal Petition No.17765 of 2026
(C.N.R.No.HBHC010744862026)
Between:

Kartik Chandrakant Ambe … Petitioner-accused No.3

AND

The State of Telangana and another …Respondents

:COMMON ORDER :

Petitioners/accused Nos.2 and 3 have filed these petitions under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhitha, 2023 seeking bail in Crime No.344 of 2026 of P.S. RSP Secunderabad, GRP Secunderabad, registered for the offences under Section 8c r/w. 20(b)(ii)(C) of NDPS Act, 1985 and Section 78 of Juvenile Justice Act.

2. Since both the criminal petitions are arising out of FIR No.344 of 2026, both the criminal petitions are heard together and are disposed of by way of this common order.

3. Heard Sri. P.Prabhakar Reddy, learned counsel appearing for petitioner-accused No.2 and Sri Nilesh Narina, learned counsel for petitioner-accused No.3 and Sri Arun Kumar Dodla, learned Additional Public Prosecutor appearing for the respondent-State and perused the record.

4. The case of the prosecution is that on 05.07.2026 at 14.00 hours, the Inspector of Police, RPS Secunderabad along with his staff proceeded to conduct general checking on the platforms and trains of Secunderabad railway station, and while checking, at 14.30 hours, they found three persons under suspicious circumstances carrying one trolley suitcase and three backpacks in general waiting hall. On enquiry, accused Nos.2 and 3 stated that on 03.07.2026 they took 40 packets of ganja from accused No.1 and they were transporting the same from Balangir of Odisha State to Nagpur of Maharashtra State via Secunderabad to hand it over to a person, who knows accused No.1. The total 41.313 Kgs of ganja was seized from all trolley suitcase and 3 backpacks under the cover of panchanama and arrested the accused.

5. Learned counsel for petitioners/accused Nos.2 and 3 submits that though the petitioner/accused Nos.2 and 3 are no way concerned with the alleged offences and they have been falsely implicated in the present crime and arrested on 05.07.2026. It is further submitted that no criminal antecedents are reported against the petitioner/accused Nos.2 and 3 and that no ganja was recovered from their personal possession. It is further submitted that that the petitioners were not afforded an opportunity to exercise their right to have the search conducted in the presence of a Gazetted Officer or a Magistrate, as contemplated under Section 50 of the NDPS Act. It is further submitted that the Sub-Inspector of police has not followed the mandatory procedure prescribed under the NDPS Act while effecting the seizure of ganja and arresting accused Nos.2 and 3 and he has not followed the procedure contemplated under Section 52-A of the NDPS Act with regard to preparation of inventory and drawing sample in the presence of the Magistrate. It is further submitted that entire investigation has been completed, except for the filing of FSL report. Hence, prayed for grant of bail.

6. Learned Additional Public Prosecutor opposed for grant of bail stating that specific allegations are levelled against the petitioners/accused Nos.2 and 3. He further submits that investigation is in progress and if the petitioner/accused Nos.2 and 3 are released on bail, they may commit similar type of offences, and hence, prayed to dismiss the petition.

7. Having heard both sides and perused the material on record, keeping in view that no criminal antecedents are reported against the petitioner/ accused Nos.2 and 3 and that major part of investigation is already completed, and as no contraband is seized from the personal possession of the petitioners and as they are in judicial custody since 05.07.2026, this Court is of the considered view that it is a fit case for grant of bail, subject to the following conditions:

1. **The petitioner/accused Nos.2 and 3 shall be released on bail on their executing a personal bond for Rs.25,000/- with two sureties each for the like sum each (with one local surety) to the satisfaction of the II Judicial Magistrate of First Class for Railways, Secunderabad.**

2. **The petitioner/accused Nos.2 and 3 shall appear before the Station House Officer, RSP Secunderabad, GRP Secunderabad, twice in a month i.e., on 1st and 15th of every month, till filing of charge sheet or for four months, whichever is earlier.**
3. **The petitioner/accused Nos.2 and 3 shall also furnish an undertaking before the trial Court that they shall not involve in similar cases in future.**

4. **The petitioner/accused Nos.2 and 3 shall cooperate with the investigation.**

5. **The petitioner/accused Nos.2 and 3 shall abide by the other conditions stipulated in Section 480 (3) of Bharatiya Nagarik Suraksha Sanhitha, 2023.**

Accordingly, this Criminal Petition is allowed.

JUVVADI SRIDEVI, J

Date: 12.11.2026
Note: CC today
B/o.
pld/smk

HON'BLE SMT. JUSTICE JUVVADI SRIDEVI

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