IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HONOURABLE SRI JUSTICE VAKITI RAMAKRISHNA REDDY

CRIMINAL PETITION No.18138 of 2026
(CNR.No. HBHC010756242026)

DATED: 18.11.2026

BETWEEN:

Upadrasthra Ramana Murthy .... Petitioner/Accused No.4

AND

The State of Telangana,
Rep., by its Public Prosecutor,
High Court for the State of Telangana,
at Hyderabad. Through PS Bibinagar,
Yadadri Bhongiri District, TG.

.... Respondent/Complainant

ORDER:

This Criminal Petition is filed under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking to enlarge the petitioner, who is arrayed as accused No.4 in Crime No.17 of 2026, Rachakonda Narcotics Police Station, EAGLE Force, Abids, on bail. The said crime was registered for the offences punishable under Sections 8(c) r/w 21(C), 25 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'NDPS Act').

2. The brief facts of the case are that, on 08.08.2026, upon receipt of credible information that A1 to A3 were illegally manufacturing, producing narcotic substances at Vetukuri Labs and transporting the same from Kondamadugu to Nagpur, LW.1 conducted raid and found A1 to A3 in

possession of 27.2 kilograms of Mephedrone and 56.98 kilograms of liquid Acetone.

3. Heard Sri Bethi Venkateswarlu, learned counsel for the petitioner and Sri M. Vivekananda Reddy, learned Assistant Public Prosecutor appearing for the respondent-State.

4. Learned counsel for the petitioner submitted that the petitioner is innocent and was merely working as an incharge of Vetukuri Lab, where the banned drug Mephedrone was being manufactured by A1, A2 and A5. He further submitted that the petitioner was not aware that the said prohibited drug was manufactured in the said laboratory. It is contended that the petitioner is aged about 63 years and joined the said laboratory in February 2026. It is further contended that even as per the remand report, the petitioner had only shown the reactors to A1, A2 and A5 and that no where it is said that the petitioner was involved in any manner. Learned counsel has further contended that petitioner being an employee of A8, followed his instructions and that he was neither involved in manufacturing or transporting the said drug nor anything seized from his possession nor it is the case that he has conspired. He further submitted that the petitioner has no criminal antecedents and that the alleged contraband was not recovered from his possession. Learned counsel further contended that the petitioner has been implicated in the present case solely on the basis of the confession statement of a co-accused and

that there is no independent material available to establish his alleged involvement in the offence. It is also submitted that a substantial part of the investigation has been completed and that the further detention of the petitioner is not necessary. Therefore, learned counsel prayed to grant bail to the petitioner by allowing this criminal petition.

5. On the other hand, learned Assistant Public Prosecutor opposed the grant of bail on the ground that the petitioner had assisted A1, A2 and A5 in the laboratory and, being in charge of the laboratory, he cannot plead innocence of the illegal activities carried out therein. It is further contended that the petitioner was well aware of the manufacture of the prohibited substance in the laboratory. Therefore, the learned Assistant Public Prosecutor prayed for dismissal of the criminal petition.

6. On perusal of the remand case diary, it is evident that the allegations against the petitioner are limited to the extent that he was in charge of the laboratory and as per the instructions of the owner of the lab/A8, the petitioner assisted A1, A2 and A5 by showing them the reactors and equipment available therein. There is no specific allegation against the petitioner either in the complaint or in the remand case diary indicating that the petitioner was either directly or indirectly involved in the production or manufacture of the prohibited drug or that he was aware of the manufacture of such a substance in the laboratory.

7. In the instant case, the involvement of the petitioner appears to be only based on the confession of co-accused. It is apposite to refer to the decision of the Hon'ble Supreme Court in ***Toofan Singh Vs. State of Tamil Nadu***[1], wherein it was observed that confession of co-accused is inadmissible in evidence.

8. 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 has been in judicial custody since 09.08.2026. A perusal of the remand case diary, further discloses that the statements of prosecution witnesses (LWs.1 to 15) have already been recorded. Thus substantial part of the investigation appears to have been completed. The material placed before this Court does not indicate any specific requirement of further custodial interrogation of the petitioner. The continued detention of the petitioner in the facts and circumstances of the case, therefore, requires consideration.

9. Having regard to the facts and circumstances of the case, the nature of the allegations, the stage of investigation and the period of incarceration, this Court is of the considered view that further detention of the petitioner may not be necessary. It is pertinent to note that no contraband was recovered from the possession of the petitioner, and his alleged involvement in the present case is based solely on the confession

[1] AIR 2020 SUPREME COURT 5592

statement of a co-accused. Further the petitioner stated to have no criminal antecedents. These circumstances, when considered cumulatively, pursuade this Court to grant bail to the petitioner, subject to his complying with 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 sureties for a like sum each to the satisfaction of the learned Additional Judicial First Class Magistrate at Bhongir, Yadadri Bhongir District, T.G.

ii. The petitioner-A4 shall appear before the concerned SHO between 10:00 a.m. and 5:00 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. The petitioner-A4 shall not leave the country without prior permission of the concerned trial Court.

vi. In the event of violation of any of the above conditions, the prosecution is at liberty to file an application for cancellation of bail.

9. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

VAKITI RAMAKRISHNA REDDY, J

Date: 18.11.2026
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THE HONOURABLE SRI JUSTICE VAKITI RAMAKRISHNA REDDY

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