IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HON'BLE JUSTICE B.R.MADHUSUDHAN RAO

CRIMINAL PETITION No.18235 of 2026

DATED: 11.11.2026

Between:

1. Shakthi Somaraj ...Petitioner No.1-A1
2. Kali Rakesh ...Petitioner No.2 – A2

And

The State of Telangana
Through Excise Police,
Quthubullapur, Rep.by P.P.
High Court for the State of
Telangana, Hyderabad. ... Respondent-State

O R D E R

1. This Criminal Petition is filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) praying this Court to enlarge the petitioners-A1 and A2 on bail in connection with C.O.R.No.54 of 2026 of Prohibition & Excise Station, Quthbullapur. The offence alleged against the petitioners – A1 and A2 is punishable under Section 8 (c) read with 20 (b)(ii)(B) of the NSPS Act, 1985.

2. Heard Sri Kongala Mohan Goud, learned counsel for the petitioners – A1 and A2 and Sri D.Arun Kumar, learned Additional Public Prosecutor, for the respondent – State.

3. Learned counsel for the petitioners submits that prosecution itself characterizes the quantity as 4.7 Kgs, an intermediate

quantity, the twin conditions of Section 37 of NDPS Act are not applicable. Petitioners – A1 and A2 are falsely implicated in the case. Bail application filed by the petitioners – A1 and A2 vide Crl.M.P.No.1597 of 2026 before the learned District and Sessions Judge came to be dismissed vide order dated 28.10.2026 and prayed to enlarge the petitioners – A1 and A2 on bail.

4. Learned Additional Public Prosecutor submits that the role played by the petitioners – A1 and A2 are clearly depicted in the remand case diary.

5. The Prohibition and Excise Sub-Inspector, Quthbullapur, conducted raid in front of DTDC Office on road from IDPL X Roads to Jagathgirigutta, WardNo.283 and found that accused Nos.1 and 2 are transporting dry ganja, the same is seized from their possession and on weighing it was found to be 4.7 Kgs of dry ganja.

6. Petitioners – A1 and A2 are arrested and remanded to judicial custody on 06.10.2026, since then are they are in jail.

7. Petitioners – A1 and A2 have filed Crl.M.P.No.1597 of 2026 for grant of regular bail before the learned District and Sessions Judge which came to be dismissed on 28.10.2026 with an observation that if petitioners – A1 and A2 are released on bail, they may abscond, which would cause prejudice to the

investigating agency and it may hamper further course of investigation.

8. Record goes to show that material witnesses are examined in the case, furthermore the contraband seized is 4.7 Kgs which is an intermediate quantity.

9. Since investigation is at fag end, detaining the petitioners – A1 and A2 further in judicial custody will not serve the purpose. Hence, the petitioners – A1 and A2 are entitled to be enlarged on bail subject to following conditions:

> i) The petitioners- A1 and A2 shall execute a personal bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) each with two sureties for a like sum each to the satisfaction of learned VII Additional Judicial Magistrate of First Class, Medchal-Malkajgiri.
>
> ii) The petitioners- A1 and A2 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) Petitioners – A1 and A2 shall not involve in similar offence.
>
> iv) Petitioners- A1 and A2 shall abide by the conditions stipulated in Section 437(3) of Cr.P.C. (presently, Section 480(3) of the BNSS).
>
> v) Petitioners- A1 and A2 shall not directly or indirectly influence, threaten, or induce any of the prosecution witnesses.

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.

10. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

B.R.MADHUSUDHAN RAO, J

Date: 11.11.2026.

YVL

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

CRIMINAL PETITION No.18028 of 2026

DATED: 11.11.2026

YVL