IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HONOURABLE SRI JUSTICE VAKITI RAMAKRISHNA REDDY

CRIMINAL PETITION No.18287 of 2026
(CNR No.HBHC010766152026)

DATED: 18.11.2026

BETWEEN:

Hafsal Chandanaparambil Habeeb .... Petitioner/accused No.3

AND

The State of Telangana,
Through the Station House Officer,
Chaitanyapuri Police Station,
Rep., by its Public Prosecutor,
High Court for the State of Telangana,
at Hyderabad. .... Respondent

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.3 in Crime No.111 of 2023 of Chaitanyapuri Police Station, on bail. The said crime was registered for the offences punishable under Sections 8 (c) read with Section 21 (b) of Narcotic Drugs and Psychotropic Substances Act (for short 'NDPS Act').

2. The brief facts of the case are that on 18.12.2023, accused Nos.1 and 2 were found in possession of 5 grams of MDMA and 4 blots of LSD near Vishal Mart, Srungeri Colony, Saroornagar. The name of the

petitioner – Accused No.3 was subsequently added during the course of investigation based on the confession of accused Nos.1 and 2.

3. Heard Mr. M. Amarnath, 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-accused No.3 was falsely implicated in the present case based on the confession of accused nos.1 and 2 and that no contraband was recovered from the possession of the petitioner. It is further submitted that the petitioner-accused No.3 has been in judicial since 23.07.2026 and that the contraband seized in the present case is intermediate quantity. Therefore, learned counsel prayed the Court to grant bail to the petitioner by allowing this criminal petition.

5. The learned Assistant Public Prosecutor submitted that the investigating agency has completed entire investigation and filed charge sheet against accused Nos.1 and 2 and the same was numbered as N.D.S.C.No.90 of 2024 on the file of learned XIIII Additional District and Sessions Judge, R.R. District.

6. 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-Accused No.3 herein has been in judicial custody since

23.07.2026. As seen from the record, it is evident that initially the accused Nos.1 and 2 were arrested on the date of alleged offence and thereafter the name of the accused No.3 was added based on the confession of accused Nos.1 and 2. It is settled law that confession of co-accused is inadmissible in evidence. Admittedly no contraband was recovered from the possession of petitioner-accused No.3. The contraband involved in the present case is intermediate quantity and thereby the rigrors of Section 37 of the NDPS Act are not applicable to the facts of the present case.

7. Considering the facts and circumstances of the case and since the contraband involved in the present crime is intermediate quantity, this Court is inclined to enlarge the petitioner on bail, however, subject to the following conditions:

i. The petitioner-accused No.3 shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each, with two sureties for a like sum each to the satisfaction of the learned XIII Additional District and Sessions Judge, Ranga Reddy District at L.B.Nagar and one of such sureties shall be of a local person.

ii. The petitioner-accused No.3 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-accused No.3 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.3 shall not directly or indirectly influence, threaten, or induce any of the prosecution witnesses.

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

8. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

VAKITI RAMAKRISHNA REDDY, J

Date: 18.11.2026
AS

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