

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

TUESDAY, THE TWENTIETH DAY OF JANUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION NO: 17006 OF 2025

Between:

Malela Jaya Prakash Goud, S/o Buchanna Gaud Aged 39 years Occu.
Director of Medha School R/o H.No.1-34, Thunikinipur Village Mandal.
Moosapet Dist. Mahabubnagar.

...PETITIONER/ACCUSED No.1

AND

The State of Telangana, rep. by its Public Prosecutor, High Court at
Hyderabad Through P.S. Hyderabad Narcotics

...RESPONDENT/COMPLAINANT

Petition under Section 480 & 483 of BNSS praying that in the
circumstances stated in the Memorandum of Grounds of Criminal Petition, the
High Court may be pleased to enlarge the Petitioner/Accused No.1 on bail in
Crime in FIR No.9 of 2025 of P.S. Hyderabad Narcotics in the interests of justice.

This Petition coming on for hearing, upon perusing the Memorandum of
Grounds of Criminal Petition and upon hearing the arguments of Sri T.V.
RAMANA RAO, Advocate for the Petitioner and Sri D.Arun Kumar, the Additional
Public Prosecutor (TG) on behalf of the Sole Respondent.

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT. JUSTICE K. S. JANA

CRIMINAL PETITION No.17006 of 2025

DATE: 20.01.2026

BETWEEN:

Malela Jaya Prakash Goud

.....petitioner/ accused No.1

And

The State of Telangana,
Rep. by Public Prosecutor,
High Court for the State of Telangana,
at Hyderabad.

.....Respondent/ complainant

ORDER

This Criminal Petition is filed praying this Court to enlarge the petitioner on bail who is arrayed as accused No.01 in Crime No.9 of 2025 before the Hyderabad Narcotics Police Station, TG Anti Narcotics Bureau, registered for the offence

punishable under Sections 8(c), 22(c), 27A and 29 of the NDPS Act.

2. The brief facts of the case are that on 14-09-2025, LW-1, Inspector of Police, Narcotics PS, Hyderabad, registered the above crime alleging seizure of 3.302 kgs of Alprazolam, intermediate substances, chemicals, manufacturing apparatus, cash, and mobile phones from the premises of Medha School, Old Bowenpally, and arrested Accused No.1 for offences under Sections 8(c) r/w 22(c), 27-A and 29 of the NDPS Act.

3. Heard T.V. Ramana Rao, learned counsel appearing on behalf of the petitioner as well as Sri D. Arun Kumar, learned Additional Public Prosecutor appearing on behalf of the respondent – State.

4. Learned counsel for the petitioner submitted that the implication of the petitioner was false, baseless and politically motivated, and rested only on inadmissible confessional statements of co-accused and that there was no evidence of conscious possession, no independent witnesses to the alleged seizure, and the seized substances were yet to be confirmed by

FSL analysis. He further submitted that the petitioner had no criminal antecedents, possessed deep social roots, and was the sole breadwinner of his family, including a minor daughter suffering from Autism Spectrum Disorder. Therefore, he prayed the Court to grant bail to the petitioner by allowing this Criminal Petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner stating that the petitioner is a drug peddler. He further submitted that the investigation is in progress and if the petitioner is released on bail, at this stage, he may tamper with the evidence and may threaten the witnesses. Hence, he prayed the Court to dismiss the criminal petition.

6. This Court, considering submissions made by both the learned counsel and reviewing the material available on record, it is noted that the contention of the petitioner that the case is false, fictitious, and fabricated, the case was registered without following the due procedure. However, the Additional Public Prosecutor opposes bail citing commercial quantity weighing 3.302 kgs of Alprazolam. At this stage, it is

pertinent to note Section 37 of the NDPS Act, which reads as under:

"37. Offences to be cognizable and non-bailable.

-- (1) Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974),--(a) every offence punishable under this Act shall be cognizable;

(b) no person accused of an offence punishable for 1[offences under section 19 or section 24 or section 27A and also for offences involving commercial quantity] shall be released on bail or on his own bond unless--

(i) the Public Prosecutor has been given an opportunity to oppose the application for such release, and

(ii) where the Public Prosecutor opposes the application, the court is satisfied that there are reasonable grounds for believing that he is not guilty of such offence and that he is not likely to commit any offence while on bail.

(2) The limitations on granting of bail specified in clause (b) of sub-section (1) are in addition to the limitations under the Code of Criminal Procedure, 1973 (2 of 1974) or any other law for the time being in force on granting of bail."

7. In view thereof, Section 37 of the NDPS Act mandates that offences involving commercial quantities be non-bailable, requiring reasonable grounds to believe the accused is not

guilty and unlikely to commit further offences while on bail. Given the serious allegations against the petitioner, this Court is not satisfied that conditions for granting bail under Section 37 are met. Therefore, the criminal petition lacks merit and the same is liable to be dismissed.

8. Accordingly, this Criminal Petition is dismissed.

Miscellaneous applications, if any pending shall stand closed.

//TRUE COPY//

SD/- C. DEEPIKA
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Special Judicial First Class Magistrate For Excise Cases At Manoranjani Complex, Opp Gandhi Bhawan, Nampally, Hyderabad.
2. The Station House Officer, Hyderabad Narcotic Police Station, Unit TG Anti – Narcotics Bureau, Hyderabad
3. One CC to SRI T.V. RAMANA RAO, Advocate [OPUC]
4. Two CCs to the PUBLIC PROSECUTOR, High Court for the State of Telangana, Hyderabad. [OUT]
5. Two CD Copies.

AR/PSL

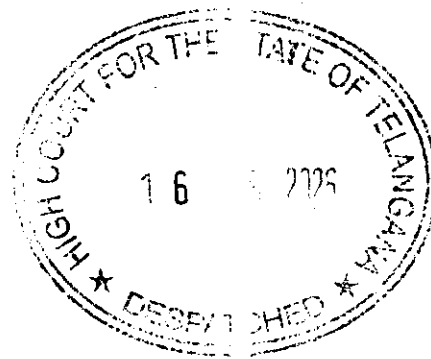
[Signature]

HIGH COURT

DATED:20/01/2026

ORDER

CRLP.No.17006 of 2025



DISMISSING THE CRL.P.

⑧
kpl
5/2/26