IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HONOURABLE SRI JUSTICE VAKITI RAMAKRISHNA REDDY

CRIMINAL PETITION No.18926 of 2026
(CNR No.HBHC010791932026)

DATED: 23.11.2026

BETWEEN:

Akram Ranjith Kumar .... Petitioner/Accused No.2

AND

The State of Telangana,
Rep. by its Public Prosecutor,
High Court for the State of Telangana,
at Hyderabad, through the Station House Officer,
Suraram Police Station, Medchal Malkajgiri Dist.

.... 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.2 in S.C. N.D.P.S.No.139 of 2024 on the file of learned II Additional Sessions Judge, Nampally, on bail. The said crime was registered for the offences punishable under Sections 8 (c) read with Section 20 (b)(ii)(A), 22 (C), 27 (b) and 29 of the Narcotic Drugs and Psychotropic Substances Act (for short 'NDPS Act').

2. The brief facts of the prosecution case are that Accused Nos.1 and 2, who got acquainted through a common friend, were alleged to have been addicted to consumption of ganja and hashish oil and accordingly they used to procure the contraband from accused No.3

for selling the same to needy customers at inflated prices. On 01.10.2024 while accused Nos.1 and 2 were passing near HAL Colony park, R.R. Nagar Bus Stop, Old Bowenpally with an intention to sell the contraband to the needy customers, they were caught red-handedly by the patrolling party. It is pertinent to note that the investigating agency completed entire investigation and filed charge sheet, which was numbered as S.C. N.D.P.S.No.139 of 2024 on the file of learned II Additional Sessions Judge, Nampally. While things stood thus, the petitioner failed to appear before the concerned trial Court on 08.09.2026 and thus, the Trial Court issued NBW for non-appearance. The petitioner voluntarily appeared before the concerned Trial Court by filing a petition under Section 70 (2) of the Cr. P.C., to recall the pending NBW against him. However, the learned Trial Court dismissed the said recall petition and as a consequence the petitioner was remanded to judicial custody on 09.10.2026. Hence, the petitioner filed the present petition seeking his enlargement on bail.

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

4. Learned counsel for the petitioner submitted that the petitioner voluntarily appeared before the Trial Court for recall of NBW pending

against him. It is further submitted that the petitioner was arrested and remanded to judicial custody in Crime No.790/2025 of Suraram Police Station on 26.12.2025 and since then he was in prison until he was released on bail on 01.07.2026, as such, he could not get the date of hearing of his case to appear before the trial Court. Therefore, learned counsel prayed to grant bail to the petitioner by allowing this criminal petition.

5. On the other hand, the learned Assistant Public Prosecutor opposed the grant of bail, contending that on earlier occasions also NBWs were issued against the petitioner for his failure to appear before the learned Trial Court and therefore, prayed for dismissal of the criminal petition.

6. Admittedly, after issuance of NBW, the petitioner appeared before the learned Trial Court on 09.10.2026 apart from filing a petition under Section 70 (2) of the Cr.P.C. to recall the pending NBW against him. The learned Trial Court dismissed the said petition on the ground that on earlier two occasions also NBWs were issued against the petitioner for his non-appearance and the said NBWs were recalled by taking lenient view. Despite the same, the petitioner had once again failed to appear before the Trial Court, thereby committing a default for the third time. It was further observed that

the reasons assigned by the petitioner for his non-appearance on 08.09.2026, were vague and not satisfactory.

7. There is no material placed on record to establish that despite having knowledge of the date of adjournment, the petitioner failed to appear before the learned Trial Court. The respondent did not deny about the judicial custody of the petitioner in Crime No.790/2025 from 26.12.2025 to 01.07.2026.

8. Considering the facts and circumstances of the case, particularly the fact that the petitioner voluntarily appeared before the learned Trial Court and surrendered himself pursuant to the NBW issued against him, coupled with the fact that he was in judicial custody in connection with another crime from 26.12.2025 to 01.07.2026, this Court is of the considered view that the petitioner's failure to appear before the learned Trial Court on 08.09.2026 cannot, by itself, be construed as a deliberate attempt to evade the process of law. Though it is true that NBWs were issued against the petitioner on earlier occasions also, the same, in the considered opinion of this Court, cannot be a sole ground to deny him the relief of bail, particularly when the petitioner has voluntarily appeared before the learned Trial Court and expressed his willingness to participate in the trial. Further, the investigation in the case is already completed and the charge sheet has been filed and the same

was numbered as S.C.N.D.P.S.No.139 of 2024. Therefore, keeping the petitioner in judicial custody would not serve any useful purpose, subject to imposing appropriate conditions to ensure his presence before the learned Trial Court during the course of trial.

9. Accordingly, the Criminal Petition is allowed and the petitioner/accused No.2 is ordered to be enlarged on bail subject to the following conditions:

(i) The petitioner-Accused No.2 shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Thousand only) with two sureties for a like sum each to the satisfaction of the learned II Additional Sessions Judge, Nampally, Hyderabad.

(ii) The petitioner shall appear before the learned Trial Court on every date of hearing without fail, unless his personal appearance is specifically dispensed with by the learned Trial Court for valid reasons.

(iii) The petitioner shall not directly or indirectly tamper with the prosecution witnesses or influence them in any manner.

(iv) The petitioner shall not indulge in any criminal activities during the period of bail.

(v) The petitioner shall furnish his correct residential address and mobile phone number to the learned Trial Court and shall keep the same active and updated throughout the pendency of the trial.

(vi) In the event of failure to comply with any of the above conditions, the prosecution is at liberty to seek cancellation of bail in accordance with law.

Miscellaneous applications, if any pending, shall stand closed.

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VAKITI RAMAKRISHNA REDDY, J

Date: 23.11.2026
AS

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