

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.17845 OF 2025

DATE :27.01.2026

Between:

Bojjaleela Shiva Shankar

....Petitioner/A.3

AND

The State of Telangana,
Rep., by its Public Prosecutor,
Prohibition & Excise Police Station,
Uppal, Medchal-Malkajgiri District,
Hyderabad.

.....Respondent/Complainant

: ORDER :

This Criminal Petition is filed under Section 480 & 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking the Court to enlarge the petitioner on bail who is arrayed as accused No.3 in COR No.96 of 2025 of Prohibition & Excise Police Station, Uppal, Medchal-Malkajgiri District, registered for the offences punishable under Sections 34(A) of the

Telangana Excise Act, 1968, Section 9(A) r/w. Section 25, 25(A) and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

2. The facts of the case are that on 13.09.2025, based on reliable information, the complainant conducted an inspection at M/s.Vagdevi Innoscience Private Limited where Accused No.1 and five others were present. During the search, two black plastic bags containing a white suspicious powder were found. The powders weighed 11.464 kilograms and 15.546 kilograms, respectively and the police seized one bottle of Acetic Anhydride (200 ml), three bottles of Methanol (1 liter, 200 ml, and 500 ml), two bottles of Ethanol (250 ml and 100 ml), one large bottle of Thionyl Chloride (2500 ml). Upon questioning, the petitioner admitted that these chemicals were used to synthesize Ephedrine from 2-Bromopropiophenone, and then to manufacture Methamphetamine using Thionyl Chloride. All the contraband was seized from Accused Nos.1 to 6, and a case was registered against them for the above offences.

3. Heard Sri P.Vikasraj, learned counsel appearing for the petitioner and Sri D.Arun Kumar, learned Additional Public Prosecutor appearing for respondent - State.

4. The contention of learned counsel for the petitioner is that the alleged chemicals seized do not attract the provisions of NDPS Act as they do not come under narcotic drugs or psychotropic substances and also do not come under prohibited items. The chemicals are used in pharmaceutical, laboratory and industrial processes and these are freely available in the open market. He further contended that there is no recovery from the conscious possession of petitioner. Petitioner is working in a pharmaceutical industry for more than 15 years. Petitioner is not an employee of M/s.Vagdevi Innoscience Private Limited and never worked as R & D Manager. Petitioner is falsely implicated in this case. He further contended that on 12.09.2025 the Excise, S.I called the petitioner to the police station on the pretext of witnessing some solvents and when he went to the police station he was illegally detained and forced to give a false confession under threat and false promise of release. The alleged confession of the petitioner is inadmissible in law. Further the material

part of investigation is completed except filing of charge sheet. Hence, prayed this Court to grant bail to the petitioner.

5. On the other hand, learned Additional Public Prosecutor opposed bail contending that on search of the subject premises, the police found raw materials used to manufacture NDPS substance and the accused failed to produce valid licence or permit for possession of chemical Acetic Anhydride which is a drug notified under Schedule-A of NDPS Regulations and possession of the same without valid licence or permit is an offence under NDPS Act. Hence, the petitioner is not entitled for bail and prayed to dismiss this petition.

6. Considering the submissions made by both the counsel and material on record, the petitioner is in jail from 13.09.2025. It is seen that Acetic Anhydride is a control substance and other material seized from the petitioner is not regulated under NDPS Act. Considering the same, and also the period of incarceration of petitioner in jail, this Court deems it appropriate to grant bail to the petitioner/A.3 subject to the following conditions.

- i. The petitioner/A.3 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 II-Additional Junior Civil Judge-cum-VI-Additional Judicial Magistrate of First Class, Medchal-Malkajgiri District at L.B.Nagar.

ii. The petitioner/A.3 shall appear before the concerned SHO between 09.00 a.m and 5.00 p.m., on every Wednesday 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/A.3 shall abide by the conditions stipulated in Section 483(2) of the BNSS.

7. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 27.01.2026

Rds

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