

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

WEDNESDAY, THE SIXTH DAY OF MAY
TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SMT JUSTICE K. SUJANA

**I.A.No.3 OF 2026
IN
CRLA NO: 127 OF 2026**

Between

Kethavath Praveen Kumar, S/o Harinayak

...Petitioner/Appellant/Accused No.4
(Appellant in CRLA NO: 127 OF 2026
on the file of High Court)

AND

The State of Telangana, Rep. by its Public Prosecutor, High Court of Telangana At Hyderabad.

...Respondent/Respondent
(Respondent in-do-)

Counsel for the Petitioner: SRI M.AMARNATH

Counsel for the Respondent: Addl. PUBLIC PROSECUTOR

Application under Section 430(1) of B.N.S.S. praying that in the circumstances stated in the Interim Bail Application, the High Court may be pleased to suspend the order passed in SC NDPS No 24 of 2022, dt. 29/12/2025 on the file of Special Sessions Judge for Trial of cases under the Narcotic Drugs and Psychotropic Substances Act, 1985 - Cum - I Additional Sessions Judge at Khammam, against the appellant accused no.4 and enlarge the on bail;

The Court made the following

ORDER:

This Interlocutory Application is filed with a prayer to enlarge the petitioner on bail by suspending the sentence imposed against the petitioner dated 29.12.2025 passed in

S.C.NDPS No.24 of 2022 by the learned Special Sessions Judge for Trial of Cases under the Narcotic Drugs and Psychotropic Substances (NDPS) Act, 1985-cum-I Additional Sessions Judge, Khammam. The petitioner was convicted under Section 235(2) Cr.P.C. for the offence punishable under Section 8(c) read with Section 20(b)(ii)(C) of the NDPS Act and was sentenced to undergo rigorous imprisonment for twenty years and to pay a fine of Rs.2,00,000/-, and in default of payment of fine, to undergo rigorous imprisonment for six months.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor appearing on behalf of the respondent.

Learned counsel for the petitioner contends that none of the prosecution witnesses (PW2 to PW6) have actually seen the contraband allegedly seized, as they admitted in their cross-examination that they either did not see the contents of the bags or relied on what was told by others, and further that no packets were opened or properly verified at the time of seizure, thereby creating serious doubt about the recovery; it is also submitted that no contraband was seized from the petitioner and he has been falsely implicated, yet the trial Court erroneously convicted him. He further contended that he is having good grounds to succeed in the appeal and the final hearing of the appeal may be taken considerable time. Therefore, he prayed the Court to allow this petition.

On the other hand, the learned Additional Public Prosecutor appearing for respondent, opposed the bail petition, contending that there is no illegality in the order of the trial Court and that the trial Court has rightly passed the impugned order. Therefore,

while advocating that there is ample evidence on record against the petitioner, he prayed the Court to dismiss the petition.

Perused the contents of the affidavit filed in support of the petition.

In the light of the submissions made by both the learned counsel and upon perusal of the material available on record, though certain discrepancies are pointed out, there are serious allegations against the petitioner under the NDPS Act. Further, the petitioner earlier also filed the bail application and the same was dismissed and there are no changed circumstances in the earlier bail petition and the present bail petition. Therefore, considering the gravity of the allegations, this Court is not inclined to grant bail to the petitioner, and the petition is liable to be dismissed.

Accordingly, this Interlocutory Application is dismissed.

Sd/- M.NAGAMANI
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Special Sessions Judge for Trial of cases under the Narcotic Drugs and Psychotropic Substances Act, 1985 - Cum - I Additional Sessions Judge at Khammam.
2. The Superintendent, Central Prison, Cherlapalli, Medchal-Malkajgiri.
3. The Station House Officer, Police Station Konijerla, Dist. Khammam.
4. One CC to Sri M. AMARNATH, Advocate [OPUC]
5. Two CCs to PUBLIC PROSECUTOR, High Court for the State of Telangana, at Hyderabad [OUT]
6. One spare copy

HIGH COURT

SKS, J

DATED: 06-05-2026

LIST ON 23-07-2026

ORDER

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IN
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DISMISSING THE I.A

