



2026:TSHC:13023

[3303]

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**FRIDAY, THE TENTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 4405 OF 2026

Between:

Ravutla Prashanth Goud, s/o Mohan Goud Age. 40 yrs, Occ. Toddy Shop R/o.
H.No.1-1-5/25/9/2, Mahalaxmi Colony Housing Board Colony, Armoor.

AND

...Petitioner/Accused No.3

1. The State of Telangana, Represented through Public Prosecutor. High Court of Hyderabad.
2. MD.Yaseer Arfath, S/o not known, Aged about. not known, Occ SIP of Armoor PS. Armoor.

...Respondent/Defacto Complainant

Petition under Section 528 of B.N.S.S. praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to quash the Cr.No.649/2025 on the file of P.S.Armoor against the Petitioners

I.A. NO: 1 OF 2026

Petition under Section 528 of B.N.S.S. praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to stay all further proceedings including arrest of the petitioner/accused no.3 in Cr.No.649/2025 on the file of P.S.Armoor at Rajendra Nagar.



2026:TSHC:13023

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Mrs. L.Pranathi Reddy, Advocate for the Petitioner and Sri Jitender Rao Veeramalla, Additional Public Prosecutor on behalf of the Respondent Nos.1 and 2.

The Court made the following: ORDER



2026:TSHC:13023

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No. 4405 of 2026

DATE: 10.04.2026

Between :

Ravutla Prashanth Goud

....Petitioner/Accused No.3

AND

The State of Telangana and another

....Respondents

: O R D E R :

This Criminal Petition has been filed by the petitioner/accused No.3 seeking to quash the proceedings in Crime No.649 of 2025 of Armour Police Station, Nizamabad District, registered for the offences under Sections 8(c) r/w 22(c) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter referred to, as 'the NDPS Act').

2. Brief facts of the case:

On 10.12.2025, on credible information received at the police station regarding mixing of Alprazolam in toddy at Mahalaxmi Colony, Armour, the Sub Inspector of Police, Armour Police Station, complied with Section 42 NDPS Act by reducing the information into writing, informing the superior officer, and making a GD entry. After obtaining necessary permissions and securing independent panch witnesses



through the Municipal Commissioner, he along with other excise officials, proceeded to the spot. Upon interrogation, accused Nos.1 and 2 admitted the presence of Alprazolam in the house. A search and seizure operation was conducted in accordance with law, leading to recovery of 499.500 grams of suspected Alprazolam, properly sealed, labelled M-1 and M-2, and documented through a seizure panchanama. Mobile phones and other material objects were also seized, and the entire process was videographed. During investigation, accused Nos.1 and 2 disclosed that they, along with the petitioner, conspired to procure Alprazolam and mix it with toddy to earn profits, thereby endangering public health. The contraband was allegedly sourced by the petitioner and distributed for use in toddy preparation at their depot. The seized material was deposited in the malkhana, and accused Nos.1 and 2 and the petitioner were medically examined and found fit for remand. Based on the material collected, a case in Crime No.649 of 2025 was registered under Sections 8(c) read with 22(c) and 29 of the NDPS Act, and investigation proceeded with examination of witnesses, scene of offence panchanama, and collection of further evidence establishing illegal possession, conspiracy, and commercial-scale narcotics activity.

3. Heard Mrs. L. Pranathi Reddy, learned counsel for the petitioner, and Mr. Jithender Rao Veeramalla, learned Additional Public Prosecutor for respondent Nos.1 and 2-State.



4. **Submissions of learned counsel for the petitioner:**

4.1 Learned counsel for the petitioner submitted that the petitioner has not committed the alleged offence and has been falsely implicated in the present case. Even according to the allegations made in the complaint, the ingredients of the offences under Sections 8(c) r/w 22(c) and 29 of the NDPS Act are not attracted against the petitioner. The police have not seized any contraband from the possession of the petitioner and he was not present at the scene of offence. However, the petitioner has been implicated as an accused solely based on the confessional statement given by accused No.1 and the same is not permissible under law as per the provisions of Section 27 of the Indian Evidence Act, 1872 and Section 67 of the NDPS. She further submitted that no *prima facie* material exists connecting the petitioner with the alleged offence. Hence, continuation of the proceedings against the petitioner is a clear abuse of the process of law.

4.2. In support of her contention, she relied upon the following orders:

1. **C. Adithya Narayana Reddy v. The State of Telangana¹** and;

2. **Ismail Khan and another v. State of M.P.²**

¹ 2025 (2) ALD (CrI.) 64

² 2019 SCC OnLine MP 944



5. **Submissions of learned Additional Public Prosecutor:**

5.1 *Per contra*, learned Additional Public Prosecutor submitted that there are specific allegations levelled against the petitioner, which attract the ingredients of the offences under Sections 8(c) r/w 22(c) and 29 of the NDPS Act. During the course of investigation, it is revealed that accused No.1 and the petitioner are brothers and partners, running a toddy business, where they mixed Alprazolam in toddy to increase sales and earn higher profits. He further submitted that accused No.1 in his statement specifically stated that the petitioner brought 2.5 kgs. of Alprazolam from unknown persons @ Rs.10 lakhs per kg. and handed it over to him and the same was kept in their house and it was mixed with toddy and used, leaving a remaining quantity of about 500 grams. The police seized the contraband from the possession of accused No.1 after following due procedure as contemplated under the provisions of the NDPS Act and the substance of two packets weighed 499.500 grams and its worth about Rs.5 lakhs.

5.2. He further submitted that there was telephonic conversation between the petitioner and the other accused. The petitioner had approached this Court and filed CrI.P.No.571 of 2026 for grant of pre-arrest bail and the same was dismissed on 09.02.2026 by giving cogent reasons, whereby it is specifically observed that the investigation material disclose a *prima facie* link of the accused with the alleged offences, such as, his involvement is being reflected from the



statements of co-accused, electronic communications or financial transactions, the petitioner is not entitled for grant of pre-arrest protection and the same seriously hamper the process of investigation. He also submitted that the investigation is still in progress and at this stage, the petitioner is not entitled to seek quashing of the proceedings, especially the petitioner involved in heinous offence and F.I.R. is not an encyclopedia.

Analysis:

6. This Court has considered the rival submissions made by the respective parties and perused the material available on record. It is not in dispute that the petitioner had approached this Court and filed Criminal Petition No.571 of 2026 seeking pre-arrest bail and the same was dismissed *vide* order dated 09.02.2026 taking into consideration the principle laid down by the Hon'ble Apex Court in **Dinesh Chander v. State of Haryana**³, wherein it was observed that where the investigation material discloses a *prima facie* link of the accused with the alleged offence, such as, his involvement being reflected from statements of co-accused, electronic communication, or financial transactions, the grant of pre-arrest protection would seriously hamper the process of investigation.

³ SLP (Crl.) No.9540 of 2025



7. The record further reveals that the police seized 499.500 grams of Alprazolam from the possession of accused No.1 and the petitioner and accused No.1 are brothers.
8. The record further reveals that accused No.1 in his statement specifically stated that the petitioner purchased 2.5 kgs. of Alprazolam at the rate of Rs.10 lakhs per kg. from unknown persons and handed it over to him. The said contraband was allegedly kept in their house and used in the preparation of toddy. Out of the said 2.5 kgs. of Alprazolam, the police seized 499.500 grams from the possession of accused No.1.
9. Whether the petitioner, along with accused No.1, was engaged in toddy business; whether the petitioner had purchased 2.5 kgs. of Alprazolam from unknown persons and handed it over to accused No.1 and the alleged contraband was used in toddy preparation or not; and whether any other material is with the prosecution to connect the petitioner with the offence, are disputed facts and the same cannot be adjudicated in a proceedings under Section 528 of the BNSS/482 of the Cr.P.C. at threshold, since the complaint *prima facie* discloses the ingredients of the alleged offence and the same have to be revealed during the course of investigation, especially when the investigation is under progress.



10. The order in **Aditya Narayan Reddy** *supra* relied upon by the learned counsel for the petitioner is not applicable to the facts and circumstances of the present case, as in that case the Court was dealing with quashing of the final report in SC.NDPS.No.308 of 2024, wherein the prosecution had failed to produce any other material and except the confessional statement of a co-accused to connect the petitioner with the alleged offence. In the present case, the investigation is still under progress.

11. The other order relied upon by the learned counsel for the petitioner in **Ismail Khan** *supra* is also not applicable to the facts and circumstances of the present case, as there are specific allegations levelled against the petitioner that he, along with accused No.1, was engaged in toddy business and that the petitioner purchased 2.5 kgs. of Alprazolam and handed it over to accused No.1, and they mixed it toddy to earn profits. Whether the petitioner is having any connectin with accused No.1 for the offences levelled in the complaint, the same will be revealed during the course of investigation.

12. It is relevant to mention that in **State of Haryana and others v. Bhajan Lal and others**⁴, the Hon'ble Supreme Court delineated the limited scope of the High Court's jurisdiction under Article 226 of the Constitution of India and Section 482 Cr.P.C. to quash criminal

⁴ 1992 Supp (1) SCC 335



proceedings, holding that such power may be exercised only in exceptional cases where the allegations, even if taken at face value, do not disclose any offence, are inherently improbable, legally barred, or manifestly mala fide, while cautioning that the categories so enumerated are illustrative and the power must be exercised sparingly. The said principles were reiterated in **Neeharika Infrastructure Private Limited v. State of Maharashtra and others**⁵, wherein it was emphasized that the police have a statutory right and duty to investigate cognizable offences and that Courts should not interdict investigation at the threshold unless no cognizable offence is disclosed on a plain reading of the FIR; the FIR is not expected to be an encyclopedia of all facts, and criminal proceedings ought not to be scuttled at their nascent stage. It was further held that the power to quash proceedings should be exercised sparingly, with circumspection, and only in the rarest of rare cases, where the allegations do not disclose any offence or are manifestly attended with mala fide or are an abuse of the process of law.

13. For the foregoing reasons and the precedent decisions, this Court does not find any ground to quash the proceedings against the petitioner.

⁵ (2021) 19 SCC 401



14. Accordingly, the criminal petition is dismissed. However, it is made clear that any of the observations made in this order are confined for the purpose of deciding this case only.

Miscellaneous applications, pending if any, shall stand closed.

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SD/- A.H.S.GOWRI SHANKAR
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Judicial First Class Magistrate at Armoor.
2. The Station House Officer, Armoor Police Station, Nizamabad
3. One CC to Mrs. L.Pranathi Reddy, Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR High Court for the State of Telangana, at Hyderabad [OUT]
5. Two CD Copies

BA/PSL

Put



2026:TSHC:13023

HIGH COURT

DATED: 10/04/2026

ORDER

CRLP.No.4405 of 2026



DISMISSING THE CRIMINAL PETITION

(8) copies

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28/04/2026