

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

**THURSDAY, THE THIRTIETH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION NO: 12556 OF 2025

Between:

Ajay Kolli, S/o Raju, aged about 20 years, Occ. Student, Resident of H.No.11-2-5351/1, Hanuman Nagar, Ramagundam Peddapalli District, Telangana-505211

...PETITIONER

AND

The State of Telangana, Rep. by its Station House Officer, P.S. Koyyuru, Jayashankar Bhupalapally District. Through the Public Prosecutor, High Court High Court for the State of Telangana

...RESPONDENT/COMPLAINANT

Petition under Section 482 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to direct the S.H.O. of P.S. Koyyuru, Jayashankar Bhupalapally District and Telangana to enlarge the Petitioner on bail in the event of their arrest by the P.S. Koyyuru, in FIR. NO. 113 OF 2025 dated 30/08/2025

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri RAVI MOTHUKURI, Advocate for the Petitioner and D. ARUN KUMAR Additional Public Prosecutor on behalf of the sole Respondent

The Court made the following: ORDER

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.12556 OF 2025

ORDER :

This criminal petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 by the petitioner seeking anticipatory bail in connection with FIR No.113 of 2025 of Koyyuru Police Station, Jayashankar Bhupalpali District. The offences alleged against the petitioner are under Sections 8(c) r/w.20(b)(ii)(B) of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act')

2. The facts of the case are that on 30.08.2025 at 16.40 hours, while the police were conducting vehicle check near Jangidipalli Village, they found three persons coming towards Koyyur village from Rudraram village on two motor cycles. Immediately, they stopped those two vehicles and when asked for the vehicle documents, they failed to show and on suspicion when the police checked their bags, they found two packets wrapped with brown color tape and on questioning the said persons they revealed that it is a Ganja. When the police examined they found dry Ganja leaves, flowers and buds emanating pungent smell and confirmed it as Ganja and seized 3.335 kgs of ganja from their possession. Hence, complaint was

lodged and basing on the same crime was registered against the accused for the said offences.

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

4. The contention of learned counsel for the petitioner is that petitioner is not shown as an accused but basing on the confession of A.1 to A.3, he is apprehending arrest. The petitioner is one of the accused in FIR No.110 of 2025 of Wajedu Police Station, Mulugu District and the same is under investigation and the police are trying to link the petitioner herein to the present crime without any basis only to harass him. Learned counsel further contended that the recovery was made from A.1 to A.3 and the petitioner is also not present at the time of seizure and no material is available to show that petitioner had any involvement in this crime. Hence, prayed this Court to grant anticipatory bail to the petitioner.

5. On the other hand, learned Additional Public Prosecutor would submit that the petitioner is not shown as an accused as on today. The accused in this case are also involved in other crimes and petitioner herein is also involved in other case.

6. Having regard to the submissions made by both the learned counsel and a perusal of the material available on record, it appears that the petitioner herein is not arrayed as an accused as on today. However, the petitioner herein is also involved in FIR No.110 of 2025 of Wajedu Police Station, Mulugu District. It is well settled that anticipatory bail is not ordinarily maintainable in cases arising under the provisions of the NDPS Act in view of the stringent restrictions contained in Section 37 of the NDPS Act, and such offences are to be dealt with strictly in accordance with the procedure prescribed therein. Further, the Hon'ble Supreme Court has consistently held that anticipatory bail should not be granted in NDPS cases as a matter of routine, as the same may hamper the investigation and enable the accused to destroy evidence. Further, in the case of **Anarul SK v. State of West Bengal**¹ the Hon'ble Supreme Court observed that grant of anticipatory bail in cases involving NDPS is a very serious issue.

7. In the light of the above discussion, considering the previous crime history of the petitioner herein, this Court is not inclined to grant anticipatory bail to the petitioner and the same is liable to be dismissed.

¹ Petition for Special Leave to Appeal (Crl.)No.12621/2024 dated 19.09.2024

8. Accordingly, the Criminal Petition is dismissed.

Miscellaneous petitions, if any, pending shall stand closed.

//TRUE COPY//

SD/-MOHD.ISMAIL
DEPUTY REGISTRAR

SECTION OFFICER

To,

1. The Additional Judicial Magistrate First Class at Jayashanker Bhupalapally
2. The Station House Officer, Koyyur Police Station, Koyyur, Jayashankar Bhupalpally District
3. One CC to SRI RAVI MOTHUKUR Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
5. Two CD Copies

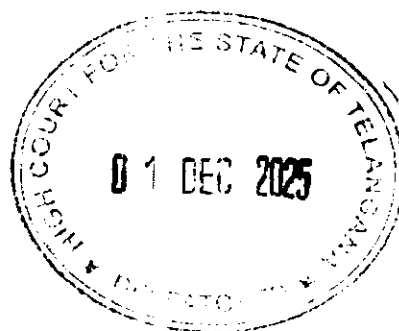
VM/SA



HIGH COURT

DATED: 30/10/2025

ORDER
CRLP.No.12556 of 2025



SMT
19/11/25

DISMISSING THE CRIMINAL PETITION