

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

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

PRESENT

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION NO: 12895 OF 2025

Between:

Prem Upadhya @ Prem, S/o Venkatesh Upadhya, Age 29 years (DOB. 12.08.1995), Caste. Hindu, Occ. IT Employee (Tech Mahindra), R/o 2-2-647/140, Kashyap Nilayam, Central Excise Colony, Bagh Amberpet, Amberpet, Hyderabad - 500013, Telangana Ph. No. 6303443770.

...PETITIONER/ACCUSED No.5

AND

The State of Telangana,, Through Station House Officer, Golconda Police Station, Hyderabad, Represented by Public Prosecutor, High Court for the State of Telangana, Hyderabad

...RESPONDENT

Petition under Section 480 & 483 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to enlarge the Petitioner/Accused No. 5 on bail in Crime No.166 of 2025 of Golconda Police Station, Hyderabad, registered under Sections 8(c) r/w 22(c), 27, 27(A) & 29 of the NDPS Act, 1985.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri P. Vikas Raj, Advocate for the Petitioner and Sri D. Arun Kumar, Additional Public Prosecutor (TG) on behalf of the Respondent.

The Court made the following: ORDER

THE HONOURABLE SMT. JUSTICE K. SHYAMA

CRIMINAL PETITION No.12895 of 2025

ORDER:

This criminal petition is filed under Sections 480 & 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner/A.5 seeking his enlargement on bail in connection with Crime No.166 of 2025 of Golconda Police Station, Hyderabad. The offences alleged against the petitioner are under Sections 8(c) r/w.22(c), 27, 27 (A) and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act').

2. The case of the prosecution is that on 23.07.2025 at 08.00 hours, on reliable information Lw.1 along with his staff and team went to scene at Hanuman Temple, Ajapur road, Golconda, Hyderabad and noticed gathering of A.1 to A.7 with regard to supply of cocaine and on enquiry and search the police found 276 grams of cocaine from the possession of A.1 to A.5 and seized the same. Basing on the complaint, the police registered the case against the accused for the above offences.

3. Heard Sri P.Vikasraj, 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 innocent of the said allegations and only 4 grams of cocaine is seized from this petitioner which is small quantity. As such, requested this Court to grant bail to the petitioner.

5. On the other hand, learned Additional Public Prosecutor opposed bail stating that the quantity seized is 276 grams of cocaine together from A.1 to A.5. As such, each accused is liable for 276 grams and that the petitioner is remanded to judicial custody only on 23.07.2025. As the quantity involved is commercial quantity, petitioner is not entitled for bail and prayed to dismiss this bail application.

6. Having regard to the rival submissions made and on going through the material placed on record, it is noted that previously the petitioner had filed Crl.P.Nos.11354 and 11835 of 2025, respectively before this Court, seeking the relief of

grant of regular bail and the same was dismissed *vide* orders dated 09.09.2025 and 24.09.2025 observing that 'Section 37 of the NDPS Act mandates that offences involving commercial quantities be non-bailable, requiring reasonable grounds to believe the accused is not guilty and unlikely to commit further offences while on bail. Given the serious set of allegations against the petitioner, this Court is not satisfied that conditions for granting bail under Section 37 are met'. However, it is noticed that there are no changed circumstances back then in the earlier regular bail petition, and the present bail petition. As such, this Court is not inclined to grant the relief as sought for, by the petitioner. There are no merits in his Criminal Petition, and the same is liable to be dismissed.

7. Accordingly, this Criminal Petition is dismissed.

Miscellaneous applications, if any pending, shall stand closed.

//TRUE COPY//

SID - L.LAKSHMI BABU
DEPUTY REGISTRAR

SECTION OFFICER

To,

1. The XVII Addl. Chief Judicial Magistrate, at Hyderabad
2. The Station House Officer, Golconda Police Station, Hyderabad,
3. One CC to Sri P. Vikas Raj, Advocate [OPUC]
4. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
5. Two CD Copies

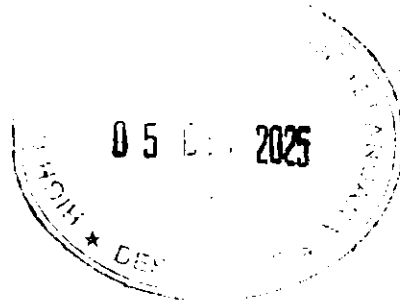
KK/PSL

HIGH COURT

DATED:23/10/2025

ORDER

CRLP.No.12895 of 2025



Dismissing the Criminal Petition

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Asu
24/11/25