

IN THE HIGH COURT FOR THE STATE OF TELANGANA

**SATURDAY, THE TWENTY FIFTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION NO: 12897 OF 2025

Between:

1. Uduthala Surender Goud,, S/o. Uduthala Laxma Goud, Age 32 years, Occ Business, R/ o. H.No. 4-27/1, Durki Village and Mandal, Nizamabad District, Telangana State.
2. Uduthala Anjagoud,, S/o. Bala Goud, Age 52 years, Occ Business, R/ o. Durki Village and Mandal, Nizamabad District, Telangana State

...PETITIONER/ACCUSED No. 11 & 16.

AND

The State of Telangana,, through S.H.O., P.S. Zaheerabad Town, Sangareddy District, represented by Public Prosecutor, High Court at Hyderabad.

...RESPONDENT

Petition under Section 480 & 483 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 grant bail to the petitioners/ Accused No 11 and 16, arrested in connection with Crime No. 147 of 2025 of P.S. Zaheerabad Town, Sangareddy District,

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

The Court made the following: ORDER

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.12897 of 2025

ORDER:

This Criminal Petition is filed seeking the Court to enlarge the petitioners, on bail, who are arrayed as accused Nos.11 and 16 in Crime No.147 of 2025 of Zaheerabad Town Police Station, Sangareddy District.

2. The brief facts of the case are that on 15.05.2025, the Sub-Inspector of Police, Zaheerabad Town Police Station, received credible information that a person was transporting Alprazolam from Pune to Zaheerabad to deliver it to a customer arriving in a car bearing No.TS09 EV 7353. Basing on the information, the police apprehended two persons near Indraprastha Venture Road, Zaheerabad, and seized 770 grams of Alprazolam and Rs.7,50,000/- in cash. Basing on the confession of those arrested, the present petitioners were shown as accused Nos.11 and 16.

3. Heard Sri K. Venumadhav, learned counsel appearing on behalf of the petitioners as well as Sri D. Arun Kumar,

learned Additional Public Prosecutor appearing on behalf of the respondent - State.

4. Learned counsel for the petitioners submitted that the petitioners were falsely implicated solely on the basis of the confessional statements of co-accused, without any independent evidence linking them to the alleged offence and that similar cases registered against the petitioners in other police stations for the same offences had already resulted in their release on bail. He further submitted that the investigation was substantially completed, the petitioners had been in custody since 08.07.2025 and 09.07.2025, and that their continued detention served no purpose. Therefore, he prayed the Court to grant bail to the petitioners by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioners stating that the petitioners are the drug peddlers. He further submitted that the investigation is in progress and if the petitioners are released on bail, at this stage, they may tamper with the evidence and may threaten the witnesses. Hence, he prayed the Court to dismiss the criminal petition.

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6. This Court, considering submissions made by both the learned counsel and reviewing the material available on record, it is noted that the contention of the petitioners that the case is false, fictitious, and fabricated, the case was registered without following the due procedure. However, the Additional Public Prosecutor opposes bail citing commercial quantity weighing 770 grams of Alprazolam. Further, there are seven cases pending against petitioner No.1 and two cases are pending against petitioner No.2. At this stage, it is pertinent to note Section 37 of the NDPS Act, which reads as under:

“37. Offences to be cognizable and non-bailable.

-- (1) Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974),--(a) every offence punishable under this Act shall be cognizable;

(b) no person accused of an offence punishable for 1[offences under section 19 or section 24 or section 27A and also for offences involving commercial quantity] shall be released on bail or on his own bond unless--

(i) the Public Prosecutor has been given an opportunity to oppose the application for such release, and

(ii) where the Public Prosecutor opposes the application, the court is satisfied that there are reasonable grounds for believing that he is not

guilty of such offence and that he is not likely to commit any offence while on bail.

(2) The limitations on granting of bail specified in clause (b) of sub-section (1) are in addition to the limitations under the Code of Criminal Procedure, 1973 (2 of 1974) or any other law for the time being in force on granting of bail."

7. In view thereof, 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 allegations against the petitioners and the previous history of the petitioners, this Court is not satisfied that conditions for granting bail under Section 37 are met. Therefore, the criminal petition lacks merit and the same is liable to be dismissed.

8. Accordingly, this Criminal Petition is dismissed.

Miscellaneous applications, if any pending, shall stand closed.

K BHAVANI SWAMY
ASSISTANT REGISTRAR

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SECTION OFFICER

To,

1. The Additional Judicial First Class Magistrate at Zaheerabad.
2. The Station House Officer, Zaheerabad Town Police Station, Sangareddy.
3. One CC to SRI. K VENUMADHAV Advocate [OPUC]
4. Two CCs to the PUBLIC PROSECUTOR, High Court for the State of Telangana [OUT].

5. Two CD Copies

ARM/ABK

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HIGH COURT

DATED: 25/10/2025

ORDER

CRLP.No.12897 of 2025



DISMISSING THE CRLP

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12/11/25