

IN THE HIGH COURT FOR THE STATE OF TELANGANA

**FRIDAY, THE TWENTY FOURTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION NO: 12945 OF 2025

Between:

Chhogaram Vishnoi, S/o Mala Ram, Aged 41 years, Occ Steel Supply Business, R/o YSR Colony, Neknampur village, Gandipet, Ranga Reddy District, N/o Ram Jangu ki dhani, Shobhala Darsan Village and Post, Barmer, Rajasthan State.

...PETITIONER/ACCUSED(S)

AND

The State of Telangana, Rep. by its Public Prosecutor, High Court for the State of Telangana at Hyderabad.

...RESPONDENT/COMPLAINANTS

Petition under Section 482 & 483 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to release the Petitioner/Accused No. 1 on bail in connection with Crime No. 1282 of 2025 on the file of Narsingi Police Station, Cyberabad Commissionerate, Ranga Reddy District

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri M.A. RAHEEM, Advocate for the Petitioner and Sri. Arun Kumar Dodla the Assistant Public Prosecutor (TG) on behalf of the Sole Respondent.

The Court made the following: ORDER

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.12945 of 2025

ORDER:

This Criminal Petition is filed seeking the Court to enlarge the petitioner, on bail, who is arrayed as accused in Crime No.1282 of 2025 of Narsingi Police Station Cyberabad Commissionerate.

2. The brief facts of the case are that on 03.07.2025, the Sub-Inspector of Police, Narsingi Police Station, received credible information that one Chhogaram Vishnu was illegally possessing and consuming heroin powder and poppy straw at his residence in YSR Colony, Neknampur Village. Basing on the information, a search was conducted in the presence of mediators, during which four packets of suspected mixed heroin powder and poppy straw were allegedly seized from the house. The contraband, weighing a total of about 708 grams, along with a mobile phone was seized.

3. Heard Sri M.A. Raheem, learned counsel appearing on behalf of the petitioner as well as Sri D. Arun Kumar, learned

Additional Public Prosecutor appearing on behalf of the respondent – State.

4. Learned counsel for the petitioner submitted that no contraband was seized from the possession of the petitioner and that he was falsely implicated in the case based on a fabricated mediator's report. He further submitted that the alleged house search was conducted without a valid search warrant or proper authorization, in violation of the NDPS Act, thereby vitiating the entire proceedings. He contended that the FSL report confirming the nature and purity of the seized substance was not produced, and the version of the prosecution was highly improbable. He contended that the investigation was substantially completed, the petitioner had been in judicial custody since 03.07.2025. Therefore, he prayed the Court to grant bail to the petitioner by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner stating that the petitioner is a drug peddler. He further submitted that the investigation is in progress and if the petitioner is released on bail, at this stage, he may tamper

with the evidence and may threaten the witnesses. Hence, he prayed the Court to dismiss the criminal petition.

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 petitioner 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 708 grams of heroin. 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 [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 petitioner, 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.

**SD/- P PONNA KRISHNA
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The XXX Additional Judicial Magistrate of First Class Ranga Reddy at Rajendranagar..
2. The SHO Narsingi Police Station, Cyberabad Commissionerate, Ranga Reddy District.
3. One CC to SRI. M.A. RAHEEM Advocate [OPUC]

4. One CC to SRI. PUBLIC PROSECUTOR Advocate [OU]

5. Two CD Copies

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HIGH COURT

DATED:24/10/2025



DISMISSED

CRLP.No.12945 of 2025

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12/11/25