

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

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

PRESENT

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION NO: 13012 OF 2025

Between:

**Mahesh, S/o Wamanrao Aged. 29 Years, R/o. Sri Ramnagar Colony,
Suraram, Hyderabad, Cell.7032216274.**

...PETITIONER/ACCUSED No. 3

AND

**The State of Telangana, Rep. by its Station House Officer, P.S.
TAPPACHBUTRA, HYDERABAD DIST, 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., TAPPACHBUTRA, HYDERABAD DIST to enlarge the Petitioner on bail in the event of their arrest by the P.S. TAPPACHBUTRA, in FIR. NO. 146 of 2025 dated 05.06.2025.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Ms. ANASUYA ADINA, 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. S. JANA

CRIMINAL PETITION No.13012 of 2015

ORDER:

This Criminal Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of pre-arrest bail to the petitioner, who is arrayed as accused No.3 in Crime No.146 of 2025 before the Tappachbutra Police Station, Hyderabad.

2. The brief facts of the case are that on 05.06.2025, while conducting vehicle checking near Tallagadda Kabaddi Stadium, Hyderabad, the police apprehended one person carrying a backpack who, upon questioning, admitted that it contained ganja. On opening the bag, three packets of ganja weighing a total of 6 kilograms were found and seized under a panchanama. The accused, identified as Menda Narayana Rao, allegedly confessed that he had collected the ganja from one Subham of Odisha at the instance of another person named Mahesh of Hyderabad.

3. Heard Ms. Anasuya Adina, 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 the petitioner, arrayed as accused No.3, was falsely implicated solely on the basis of the alleged confession of the co-accused, without any recovery or incriminating material from him. She further submitted that the seized quantity constituted an intermediate quantity, and hence, the bar under Section 37 of the NDPS Act was not applicable. Therefore, she prayed the Court to grant pre-arrest 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. In the light of the submissions made by both the learned counsel and on a perusal of the material available on record, it appears that the present petition is filed seeking grant of pre-arrest bail in connection with Crime No.146 of 2025 of Tappachbutra Police Station, Hyderabad, for the alleged offences under the NDPS Act. 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 said Act, and such offences are to be dealt with strictly in accordance with the procedure prescribed therein.

7. Having regard to the nature of the allegations, the quantity of contraband seized, and the stage of investigation, this Court is not inclined to entertain the present petition under Section 482 BNSS. However, the petitioner is at liberty to approach the trial Court by filing a surrender application and seek regular bail, and if such an application is filed, the trial Court shall consider and dispose of the same in accordance with law and on its own merits as expeditiously as possible.

8. With the above directions, the Criminal Petition is disposed of.

Miscellaneous applications, if any pending, shall stand closed.

SD/- AHMED ABDULLA KHAN
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The VIth Additional Chief Judicial Magistrate at Hyderabad.
2. The Station House Officer, Tappachbutra Police Station, Hyderabad.
3. One CC to SRI. ANASUYA ADINA Advocate [OPUC]
4. Two CCs to the PUBLIC PROSECUTOR, High Court for the State of Telangana [OUT].
5. Two CD Copies

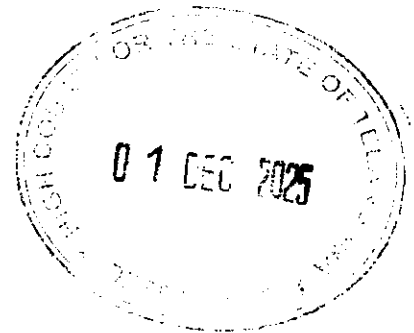
ARM/PSI.

HIGH COURT

DATED: 25/10/2025

ORDER

CRLP.No.13012 of 2025



DISPOSING OF THE CRLP

⑧ MT
18/11/25