

(2025) 05 KAR CK 0402
In the Karnataka High Court, Principal Bench
Case No : Criminal Petition No. 7092 Of 2025

Maresh N

APPELLANT

Vs

State Of Karnataka By Excise Inspector Tumkuru South
Range Tumkuru Sub Division Represented By State Public
Prosecutor High Court Complex Bengaluru - 560001

RESPONDENT

Date of Decision : 27-05-2025

Acts Referred:

Bharatiya Nagarik Suraksha Sanhita, 2023 — Section 483
Bharatiya Nyaya Sanhita, 2003 — Section 3(5), 103, 109, 199(a), 309(4), 309(6), 311
Arms Act, 1959 — Section 25, 27

Citation : (2025) 05 KAR CK 0402

Hon'ble Judges : Umesh M Adiga, J

Bench : Single Bench

Advocate : Manvendra Reddy, Anitha M Reddy

Final Decision : Allowed

Judgement

Suraj Govindaraj, J

1. The petitioner is before this Court seeking for the following reliefs:

" WHEREFORE, petitioner in the above case most respectfully prays that, this Hon'ble Court may be pleased to enlarge the petitioner regular Bail in Crime No.75/2025 registered by Tumakuru South Range Tumakuru, sub Division for the offences punishable under section 20(b) (ii), (B), 25, 8(C) Narcotics Drug's and psychotropic substance's Act 1985 Which is pending on the file of the principal district and session judge Tumakuru in the ends of justice."

2. The petitioner was implicated for the offences punishable under Sections 20(b), 20(b)(ii)(B), 25, 8(c) of the Narcotic Drugs and Psychotropic Substance Act, 1985. The seizure which has been made at the petitioner's end is 2kg 615 grams of ganja including leaves, flowers, seeds and fruiting crop. If all of them are taken into account they would amount to commercial quantity. However,

there is no differentiation which has been made at the time of seizure as regards to what is the extent of ganja leaves which has been seized and the weight thereof, as also the weight of the flower, seeds and fruiting separately. In that view of the matter, it is not clear as to whether the said seizure amount to commercial quantity or not.

3. In such circumstances, the petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita is allowed. The petitioner being in custody from 25.04.2025 is directed to be released in connection with Crime No.75/2025 of Tumakuru South Range, Tumakuru, Sub-Division for the offences punishable under Sections 20(b), 20(b)(ii)(B), 25, 8(c) of the Narcotic Drugs and Psychotropic Substance Act, 1985 pending on the file of the Principal District and Sessions Judge, Tumakuru, subject to the following conditions:

- i. The petitioner shall execute his personal bond for a sum of Rs.1,00,000/- with surety for the likesum to the satisfaction of the jurisdictional Court;
- ii. The petitioner shall appear before the Committal Court on every date of hearing;
- iii. The petitioner shall co-operate in the conclusion of the trial in the said proceedings.
- iv. The petitioner shall not threaten or tamper the prosecution witness/s in any manner.
- v. The petitioner shall not leave the jurisdiction of the trial Court without prior permission, till the case registered is disposed of.
- vi. The petitioner shall furnish list of movable and immovable property held by him to the said Court.