IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HON'BLE SRI JUSTICE B.R.MADHUSUDHAN RAO

CRIMINAL PETITION No.15977 of 2026

(CNR.No. HBHC010672022026)

DATE: 14.10.2026

BETWEEN:

Shaik Khaleel Ahmeed

.....Petitioner-Accused

And

The State of Telangana,
through the S.H.O. Asifabad Police Station
Rep. by the Public Prosecutor,
High Court for the State of Telangana,
At Hyderabad.

.....Respondent-Complainant

ORDER

1. This Criminal Petition is filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') praying this Court to enlarge the petitioner on bail who is arrayed as accused in connection with FIR No.304 of 2026 of Asifabad Police Station, Kumrambheen Asifabad, registered for the offences punishable under Sections 316(2), 318(4), 351(2) of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and Section 4 read with 76(1) of the

Chit Funds Act, 1982 and Section 5 of the Telangana Protection of Depositors of Financial Establishments Act, 1999.

2. Heard Sri N.Venkataiah, learned counsel for the petitioner-accused and Sri D. Arun Kumar, learned Additional Public Prosecutor appearing for the respondent–State.

3. Learned counsel for the petitioner submits that *de facto* complainant has filed false complaint against the petitioner-accused with an intention to escape from the legal liability to pay back the loan advance to him. The case of the prosecution is that chit transactions commenced in or about February, 2023 and that the complainant alleged that he paid an amount of approximately Rs.10,00,000/- towards chits which remained due to him, the allegations are substantially documentary in nature, prosecution has already recorded the statements of LWs.2 to 7. Petitioner-accused is law abiding citizen aged about 39 years and innocent, he has not committed any offence. Petitioner-accused is arrested and remanded to judicial custody on 25.08.2026, since then he is in jail. Initially, petitioner-accused was remanded to judicial custody before the concerned Court on 23.08.2026, remand was rejected by the learned Magistrate, thereafter, other Sections of the BNS are added and that the petitioner-accused was remanded.

Entire investigation is completed, prayed to enlarge the petitioner-accused on bail.

4. Learned Additional Public Prosecutor submits that the role played by the petitioner-accused is depicted in the remand case diary.

5. Sri K.Ramu, has lodged a report before P.S., Asifabad on 22.08.2026. It is stated in the complaint that in the month of February 2023, he joined in two chits of Rs.3,00,000/- each for a period of 20 months with Sheikh Kaleem Ahmed. Both the chits were completed and more than two years has passed, petitioner-accused has not returned his money till date. He also joined in another chit of Rs.5,20,000/- which discontinued midway after paying 18 months of installments. In total he has to receive an amount of Rs.10,00,000/- from the petitioner-accused. Basing on the said complaint, FIR came to be registered.

6. Petitioner-accused is arrested and remanded to judicial custody on 25.08.2026, since then he is in jail.

7.1 Remand case diary goes to show that the date of previous CD as 23.08.2026. Petitioner counsel submits that on 23.08.2026 petitioner-accused was produced before the concerned Magistrate

for remand, but the learned Magistrate has refused the remand and let him free.

7.2 In internal page No.3 of the remand case diary which states that on 23.08.2026 summon is issued to the petitioner-accused under Section 35(3) of the BNSS, but he failed to appear. Police has again issued another summons on 24.08.2026 to appear for enquiry on 25.08.2026, however, he failed to appear. Later, the Police has issued notice under Section 179(1) of the BNSS to the petitioner-accused directing him to appear before P.S., Asifabad for the purpose of the enquiry, but he failed to do so.

8. There is no material on record to show that the petitioner-accused was arrested and produced before the concerned Magistrate for remand on 23.08.2026. In absence of any evidence, it cannot be said that petitioner-accused is produced before the concerned Magistrate on the above said date. Petitioner-accused is also involved in Crime No.257 of 2025 under Section 318(4) of the BNS of P.S., Asifabad. Petitioner counsel submits that petitioner-accused has obtained bail in the above said crime.

9. Remand case diary goes to show that respondent has altogether examined 10 witnesses in support of the case.

10. It appears from the record that major portion of the investigation is completed, detaining the petitioner-accused further in judicial custody will not serve the purpose. Hence, petitioner-accused is entitled to be enlarged on bail, subject to the following conditions:

i. The petitioner-accused shall execute a personal bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only), with two sureties for a like sum each to the satisfaction of the Principal Judicial First Class Magistrate at Asifabad.

ii. The petitioner-accused shall appear before the concerned SHO between 10 a.m. to 5 p.m., on every Sunday for a period of eight (8) weeks or till filing of charge sheet whichever is earlier, for the purpose of investigation, and thereafter, as and when required.

iii. The petitioner-accused shall abide by the conditions stipulated in Section 437(3) of Cr.P.C.(presently, Section 480(3) of the BNSS).

iv. The petitioner-accused shall not directly or indirectly influence, threaten, or induce any of the prosecution witnesses.

v. It is made clear that if any of the above conditions are violated, the prosecution is

at liberty to file an application for cancellation of the bail.

11. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

B.R.MADHUSUDHAN RAO, J

Date:14.10.2026
pss

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