IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

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

CRIMINAL PETITION No.16873 of 2026

CNR.No. HBHC010710122026

DATE: 16.10.2026

BETWEEN:

Kondapalli Ganesh

.....Petitioner-Accused

And

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

.....Respondent-Complainant

ORDER

1. This Criminal Petition is filed under Sections 480 & 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') praying this Court to enlarge the petitioner- accused on bail in connection with Crime No.236 of 2026 of Aswaraopet Police Station, Bhadradri-Kothagudem District, registered for the offence punishable under Section 318(4) of the Bharatiya Nyaya Sanhitha, 2023.

2. Heard Ms.B.Rachana Reddy, learned Senior Counsel, representing Mr.Mohd Baseer Riyaz, learned counsel for the

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

3. Learned Senior Counsel for the petitioner submits that prosecution has not explained the delay, surrounding circumstances, and conduct attributed in the complaint in a satisfactory manner and the same are matters requiring detailed appreciation during trial. The Petitioner-accused specifically denies having cheated or dishonestly induced any person to deliver property. There is absolutely no material to establish that at the inception of the alleged transaction, petitioner-accused had any dishonest or fraudulent intention to deceive the complainant. Allegations are vague, omnibus and general in nature. The dispute is in its true nature and the substance arises out of business transaction and the existence of a monetary dispute does not automatically transform in civil liability into a criminal offence. Petitioner-accused is arrested and produced before the concerned Court on 01.10.2026. Entire investigation is completed and prayed to enlarge the petitioner-accused on bail.

4. Counter is filed by respondent. It is stated in the counter affidavit that during the course of investigation,

Investigating Officer came to know that petitioner-accused was already arrested by EOW, P.S., Cyberabad on 14.08.2026 in respect of Crime No.86 of 2026 registered for the offences under sections 316(2), 318(4) of BNS and Section 5 of the TSPDFE Act, 1999. Investigating Officer executed PT Warrant on 01.10.2026 against the petitioner-accused, since then he is in jail. Petitioner-accused is involved in seven (7) other cases. As per the statements of L.Ws.1 to 4, petitioner-accused induced the complainant to invest in a wine shop partnership and collected Rs.68,00,000/- from him on 25.10.2024 and 26.10.2024 and prayed to dismiss the petition.

5. Petitioner-accused is arrested in Crime No.86 of 2026 of PS EOW, Cyberabad Commissionerate on 14.08.2026 and was remanded to judicial custody. Offences in the aforesaid Crime are under Sections 316(2) and 318(4) of the Bharatiya Nyaya Sanhitha, 2023 and Section 5 of the TSPDFE Act, 1999. Petitioner-accused has filed Crl.P.No.15534 of 2026 for grant of regular bail before this Court, the same came to be allowed on 05.10.2026 with conditions.

6. Manmadharao Naram has lodged a report before PS Aswaraopet on 27.09.2026 i.e., after remand of the petitioner-

accused. It is stated in the complaint that the accused has offered him to join as the partner, believing his words complainant has accepted accordingly and in total he has paid cash of Rs.68,00,000/- in the presence of one Bolina Naresh. Basing on the said complaint, FIR came to be registered under Section 318 (4) of the BNS.

7. Investigation Officer has filed PT Warrant before the concerned Magistrate on 29.09.2026, it was regularized on 01.10.2026 and the petitioner-accused was sent to jail in the said crime, since then he is in jail. Counter filed by respondent goes to show that L.Ws.1 to 4 are examined.

8. Investigation is in respect of documentary evidence which is already collected by the respondent. Since investigation is at fag end, detaining the petitioner-accused further in judicial custody will not serve the purpose.

9. In the result, petition is allowed subject to the following conditions:

i. The petitioner-accused shall execute a personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only), with two sureties for a like sum each to the satisfaction of the learned Junior Civil Judge-cum-Judicial Magistrate of First Class at Dammapeta.

ii. The petitioner-accused shall appear before the concerned SHO in between 10:00 a.m. and 5:00 p.m., on every Sunday, Tuesday and Thursday 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. In the event of violation of any of the above conditions, the prosecution is at liberty to file an application for cancellation of bail.

10. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

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B.R.MADHUSUDHAN RAO, J

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ssm

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