

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

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.15405 of 2025

DATE: 01.12.2025

Between:

Penke Shiva

.... Petitioner/accused No.10

AND

The State of Telangana,
Rep. by its Public Prosecutor,
High Court at Hyderabad,
Through SHO, PS Chilkaiguda.

.... Respondent/Complainant

ORDER:

This criminal petition is filed under Sections 480 & 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner/A.10 seeking enlargement on bail in connection with Crime No.427 of 2025 of Chilkaiguda Police Station, Hyderabad. The offences alleged against the petitioner are under Section 61(2), 111, 316(5), 318(4), 336(3), 338 r/w 3(5) of the BNS.

2. The case of the prosecution is that, on 20.08.2025, the de-facto complainant, who is the Chief Manager of SBI Padmarao Nagar Branch, Hyderabad, lodged a report before the police stating that the petitioner is the husband of the accused No.3 and the accused No.3 along with other accused obtained loan with false documents and the documents were fabricated only for the purpose of obtaining the loan and according to the police, the accused No.3 has obtained the loan and other accused shared the loan amount and the petitioner herein being the husband of accused No.3 is having a major share in the loan amount. Hence, he requested for necessary action. Basing on the said complaint, the police registered a case for the above said offences.

3. Heard Sri. CH. Raj Kumar, learned counsel for the petitioner and Sri D. Arun Kumar, learned Additional Public Prosecutor appearing for the respondent-State.

4. The contention of learned counsel for the petitioner is that the petitioner herein is innocent of the said allegations and he is in jail from 13.09.2025 and the material part of the investigation was already completed and some of the accused were already released on bail. Hence, requested this Court to grant bail to the petitioner.

5. On the other hand, learned Additional Public Prosecutor opposed bail stating that the allegations against this petitioner are

serious in nature and his wife taken the loan amount of Rs.21,90,000/- and Rs.5,50,000/- was withdrawn in cash and handed over to accused Nos.6, 7 and 8 and the remaining amount was used by this petitioner and prayed to dismiss this petition.

6. In the light of the submissions made by both the learned counsel and a perusal of the material available on record, it appears that the petitioner is in jail since 13.09.2025 and as on today, no charge sheet is filed. However, though the offence under Section 111 of the BNS is also included in the remand case diary, there are no other cases pending against the petitioner according to the learned Public Prosecutor. Considering the facts and circumstances of the case and the incarceration period of the petitioner, this Court deems it fit to grant bail to the petitioner/A.10, subject to the following conditions:

- i. The petitioner/A.10 shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only), with two sureties for a like sum each to the satisfaction of the learned X Additional Chief Judicial Magistrate, at Secunderabad.

- ii. The petitioner/A.10 shall appear before the concerned SHO at 11:00 a.m., on every Monday for a period of eight (8) week or till filing of charge sheet whichever is earlier, for the purpose of investigation, and thereafter, as and when required.
- iii. The petitioner/A.10 shall abide by the conditions stipulated in Section 437(3) of Cr.P.C.(presently, Section 480(3) of the BNSS).

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

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