

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

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No. 15559 of 2025

DATE: 01.12.2025

Between:

Kothagolla Sathaiah Yadav and another

.... Petitioners/
Accused Nos.2 and 3

AND

The State of Telangana,
Through Public Prosecutor,
High Court for the State of Telangana and another.

.... Respondent

ORDER

The Criminal Petition is filed under Section 482 of BNSS
praying this Court to grant pre-arrest bail to the petitioners
who arrayed as accused Nos.2 & 3 in Crime No.1188 of 2025
before the Raidurgam Police Station, Cyberabad
Commissionerate, registered for the offences punishable

under Sections 318(4), 316(2), 338, 336(3) and 340(2) read with 3(5) of the Bharatiya Nyaya Sanhita (BNS).

2. The brief facts of the case are that, on 18.10.2025, the *de-facto* complainant lodged a report before the police stating that he is the lawful owner of Villa No. 107, Srivari Meadows, Mokila, Ranga Reddy District. In June 2025, he was in urgent need of financial assistance and was introduced by Chenna Sridhar to money lender Kothagolla Sataiah Yadav and he took Rs.54,50,000/- at 2% monthly interest, and the complainant would execute a General Power of Attorney (GPA) over his property as collateral. On 19.06.2025, a Memorandum of Understanding was signed, assuring cancellation of the GPA upon repayment. On 20.06.2025, the complainant executed the GPA in favour of Yadav at the Sub-Registrar Office, Shankarpally, believing it to be collateral only, without sale powers. On 21.06.2025, Sridhar informed him of Yadav's brother-in-law's death and requested modification of the GPA in favour of Yadav's wife, Kothagolla Manjula Yadav. Out of trust, the complainant executed the modified GPA on 25.06.2025, again without witnesses. In October 2025, when he sought cancellation of the GPA, he

discovered through the Encumbrance Certificate that a fraudulent Sale Deed dated 21.06.2025 had been executed by Yadav in favour of his wife for a consideration of Rs.72.8 crores, without actual payment. His signature was allegedly forged, in the rectification deed. The complainant alleged conspiracy, misuse of GPA, forgery, and fraudulent registration of the property in Manjula Yadav's name, suspecting collusion between Yadav and Sridhar. Hence, requested the police for necessary action. Based on this complaint, the police registered a case against the accused for the alleged offences.

3. Heard Sri Jella Srikanth, learned counsel for petitioners, and Sri D. Arun Kumar, learned Additional Public Prosecutor appearing for respondent – State.

4. Learned counsel for the petitioners submitted that Section 338 of BNS is not applicable to the present case and that the *de-facto* complainant, having received the amount by executing the sale deed, has filed a false complaint only to harass the petitioners. He further submitted that although the document bears the signature of the complainant, the allegation of forgery is unfounded, as there is no fabrication of

the said document and that the petitioners expressed their readiness to cooperate with the investigation. Therefore, he prayed the Court to grant anticipatory bail to the petitioners by allowing this criminal petition.

5. On the other hand, the learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioners, contending that under the guise of a GPA, the petitioners fabricated a sale deed, knowing that the *de-facto* complainant had signed the same. He further submitted that custodial interrogation of the petitioners was necessary for effective investigation. Hence, he prayed that the Court dismiss the criminal petition.

6. Having regard to the rival submissions and upon perusal of the material placed on record, it was noted that the petitioners are arrayed as accused Nos. 2 and 3. Accused No.3 is the beneficiary of the document in question, while accused No.2 is her husband. The averments in the complaint, as filed by the *de-facto* complainant, show that at the first instance, a GPA was executed, which was subsequently converted into a sale deed. The complainant is also shown to have signed the said document, and

photographs of the same have been filed. Though there are allegations of fabrication and false statements, the investigation is primarily based on documentary evidence. In such circumstances, this Court is of the considered opinion that custodial interrogation of the petitioners was not warranted and deemed it appropriate to grant pre-arrest bail to the petitioners, subject to compliance with the following conditions:

- i. The petitioners shall surrender before the Station House Officer, Raidurgam Police Station, Cyberabad Commissionerate within two weeks from today, and on such surrender, the said Station House Officer shall release petitioners on bail, on their executing a personal bond for Rs.25,000/- (Rupees Twenty Five Thousand only), with two sureties, for the like sum each.
- ii. The petitioners shall abide by the other conditions stipulated in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023 and co-operate with the Investigating Officer in investigating the case.

- iii. The petitioners shall appear before the concerned Investigating Officer on every Wednesday between 09:00 a.m, and 05:00 p.m., till the filing of the charge sheet and thereafter, as and when required.

7. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 01.12.2025
SS

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