

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

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.16573 of 2025

DATE: 15.12.2025

Between:

Ahmed Shaik and another

.... Petitioners/accused Nos.1 and 2

AND

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

.... Respondent

ORDER:

This Criminal Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of pre-arrest bail to the petitioners, who are arrayed as accused Nos.1 and 2 in Crime No.717 of 2025 of Adilabad I Town Police Station, Adilabad District, registered for the

offences punishable under Sections 318(4) and 316(5) of the BNS.

2. The case of the prosecution is that, on 19.11.2025, the de-facto complainant lodged a report before the police stating that her brother and sister-in-law have regularly took her gold ornaments and returned the same to her and they took and returned the same ornaments 4 to 5 times. On 06.08.2025, her brother and sister-in-law took gold ornaments from her to attend the function at Nirmal and she gave them gold ornaments worth of 50 grams, but still they did not gave the gold ornaments to the complainant. Hence, she requested for necessary action. Basing on the said complaint, the police registered a case for the above said offences.

3. Heard Sri S. Ravi Kiran Reddy, learned counsel appearing on behalf of the petitioners as well as Sri D. Arun Kumar, learned Additional Public Prosecutor appearing on behalf of the respondent – State.

4. Learned counsel for the petitioner submitted that the petitioners are innocent of the said allegations and they never

obtained the gold ornaments from the de-facto complainant and there are disputes between the parties and they are falsely implicated in this case and the offence under Section 316(5) of the BNS is not applicable to the present case and there is no such offence to constitute the offence under Section 316(5) of the BNS and they are ready to cooperate with the investigation. Therefore, he prayed the Court to grant pre-arrest bail to the petitioners by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by learned counsel for petitioners stating that the allegations against the petitioners are serious in nature and prayed the Court to dismiss the Criminal Petition.

6. In the light of the submissions made by both the learned counsel and on a perusal of the material available on record, the petitioners and the de-facto complainant are relatives and the only allegation against the petitioners is that they took gold ornaments from the de-facto complainant and the same was not returned, which is prima facie does not

constitute the offence punishable under Section 316(5) of the BNS. Considering the facts and circumstances of the case, this Court deems it fit to grant pre-arrest bail to the petitioners/accused Nos.1 and 2, subject to the following conditions:

- i. The petitioners/accused Nos.1 and 2 shall surrender before the Station House Officer, Adilabad I Town Police Station, Adilabad District, within two weeks from today, and on such surrender, the said Station House Officer shall release them on bail on executing a personal bond for Rs.25,000/- each, with two sureties, for the like sum each.
- ii. The petitioners/accused Nos.1 and 2 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/accused Nos.1 and 2 shall appear before the concerned Investigating Officer on every Monday 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: 15.12.2025
TU

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.16573 of 2025

Date: 15.12.2025

TU