

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

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.16678 of 2025

DATE: 19.12.2025

BETWEEN:

Sithari Kshaveen @ Sitari Kshavin

..... Petitioner/Accused No.2

And

The State of Telangana,
Rep. by its Public Prosecutor,
High Court, Hyderabad.
Through P.S. Town – III Nizamabad.

..... Respondent/Complainant

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 petitioner, who is arrayed as accused No.2 in Crime No.13 of 2023 before the Nizamabad III Town Police Station, Nizamabad, registered for the offences punishable under Sections 420, 466, 467, 468, 475 and 506 read with 120-B of IPC.

2. The brief facts of the case are that, on 18.01.2023, the *de-facto* complainant filed a private complaint before the concerned Court stating that accused Nos.1 and 2 approached her and assured that they would secure Government house site pattas for the weaker sections on payment of Rs.2,20,000/-. Believing them, she paid Rs.2,20,000/- on her own behalf and another Rs.2,20,000/- on behalf of her daughter, thereby paying a total of Rs.4,40,000/- to the accused. Subsequently, the accused handed over certain patta certificates, but when the complainant requested them to show the allotted plots, they evaded and delayed. Later, they came to know that the pattas given by the accused were fake. Thereafter, accused Nos.1 and 2 agreed to repay the amount with interest and partially repaid Rs.1,00,000/- to LW.1 and Rs.1,40,000/- to LW.2, while executing a promissory note for the remaining balance. However, they failed to discharge the balance liability. Consequently, the complainant approached the police seeking necessary action, and based on her complaint, a case was registered against the accused for the aforementioned offences.

3. Heard Sri N. Srushman Reddy, learned counsel appearing on behalf of the petitioner 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 petitioner is arrayed as accused No.2, whereas the primary allegations are directed against accused No.1, and even according to the complaint, the transaction is said to have taken place in the year 2020, while the FIR came to be registered only in the year 2023. He further submitted that all documents necessary for the investigation have already been filed before the concerned authorities, and therefore custodial interrogation of the petitioner is not required. On that basis, he prayed the Court to grant pre-arrest bail to the petitioner by allowing the criminal petition.

5. On the other hand, learned Additional Public Prosecutor opposed the petition, submitting that the allegations against the petitioner are serious in nature, involving the creation of fake patta certificates, and that the investigation is still in progress. At such a stage, granting pre-arrest bail to the

petitioner does not arise. Accordingly, he prayed the Court to dismiss the criminal petition.

6. In light of the submissions made by both learned counsel and upon perusal of the material available on record, it is evident that the crime pertains to the year 2023 and, as seen from the record, fake patta certificates were filed by the *de-facto* complainant along with the private complaint before the learned trial Court. Considering the overall facts and circumstances of the case, this Court finds it appropriate to grant pre-arrest bail to the petitioner, as custodial interrogation is not required in view of the investigation being based solely on documentary evidence, subject to the following conditions:

- i. The petitioner shall surrender before the Station House Officer, Nizamabad III Town Police Station, Nizamabad 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/- with two sureties, for the like sum each.

- ii. The petitioner 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 petitioner shall appear before the concerned Investigating Officer on every Monday for a period of (08) weeks or till the filing of the charge sheet, whichever is earlier and thereafter, as and when required.

9. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

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