

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.445 of 2026

DATE: 23.01.2026

BETWEEN:

Gothi Sunil @ Gothi Sunil Kumar and others

.....petitioners/accused Nos.4, 7 and 8

And

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

.....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 petitioners, who are arrayed as accused Nos.4, 7 and 8 in Crime No.13 of 2026 before the

Echoda Police Station, Adilabad District, registered for the offences punishable under Section 316(5), 318(4) read with 3(5) of BNS.

2. The brief facts of the case are that on 08.01.2026, the Sub-Inspector of Police, Echoda Police Station, while conducting vehicle checking at Mukra (K) Village on NH-44, apprehended one Mule Maruthi, who was found in possession of cash of Rs.30,500/- along with cotton selling chits. Upon enquiry, he allegedly confessed to his involvement, along with others, in cheating the Government Cotton Corporation of India (CCI) by manipulating weightment of cotton on 15.12.2025 and 16.12.2025, thereby causing wrongful loss to the CCI. Based on the said confession and seizure, a suo motu case was registered in Crime No.13 of 2026 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 petitioners submitted that the registration of the crime against the petitioners was an abuse of process of law and that the police registered the FIR without conducting any preliminary enquiry and that the petitioners were farmers and had no connection whatsoever with the alleged offence, and that Section 316(5) of the BNS was wrongly invoked only to circumvent the safeguards under the BNSS. He further submitted that the petitioners were being falsely implicated without any material. He further submitted that petitioner No.3/accused No.8 was arrested and therefore, the petition against him has become infructuous. 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 the learned counsel for the petitioner stating that the allegations leveled against the petitioners are serious in nature. He further submitted that the investigation was not yet completed, as such, the custodial interrogation of the petitioners is required. Therefore, he prayed the Court to dismiss the Criminal Petition.

6. In the light of the submissions made by the learned counsel for the petitioners and the learned Additional Public Prosecutor, and upon a perusal of the material available on record, it appears that the petitioners are arrayed as accused Nos.4, 7 and 8 in the present crime. Since Petitioner No.3/accused No.8 was already arrested, the petition, insofar as it relates to him, stands dismissed as infructuous. Further, the allegations against petitioner Nos.1 and 2/accused Nos.4 and 7 are that they, along with the other accused, misappropriated the subject cotton for the second time and thereby caused a loss of about Rs.3.70 lakhs. As seen from the record, the material part of the investigation has been completed and the witnesses have already been examined. Considering the facts and circumstances of the case, this Court is of the considered view that custodial interrogation of Petitioner Nos.1 and 2 is not necessary, and therefore deems it fit to grant pre-arrest bail to petitioner Nos.1 and 2/accused Nos.4 and 7, subject to the following conditions:

- i. The petitioner Nos.1 and 2/accused Nos.4 and 7 shall surrender before the

Station House Officer, Echoda 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/-, with two sureties, for the like sum each.

- ii. The petitioner Nos.1 and 2/accused Nos.4 and 7 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 Nos.1 and 2/accused Nos.4 and 7 shall appear before the concerned Investigating Officer on every Monday between 09:00 a.m, and 05:00 p.m., for a period of eight (8) weeks or till the filing of the charge

sheet, whichever is earlier and
thereafter, as and when required.

7. Accordingly, this Criminal Petition is allowed in part.

Miscellaneous applications, if any pending, shall stand
closed.

K. SUJANA, J

Date: 23.01.2026
SAI

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