

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.544 of 2026

DATE: 04.02.2026

BETWEEN:

Kunchikoram Yallappa

.....petitioner/accused

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 petitioner, who is arrayed as accused in Crime
No.95 of 2025 before the Saifabad Police Station, Hyderabad,
registered for the offences punishable under Section 303(2) of BNS.

2. The brief facts of the case are that on 02.04.2025 at about 16:20 hours, the de facto complainant, an auto driver residing at Adarsh Nagar, Hyderabad, reported that on 31.03.2025 at around 19:30 hours he had parked his two-wheeler Honda Shine bearing registration No. TS 07 FY 1257 in front of his house and went inside. When he returned at about 23:30 hours, the vehicle was not found at the parking place. On 01.04.2025 at about 07:30 hours, he again searched for the vehicle in and around the locality and other possible places but could not trace it. As the vehicle remained untraced despite his efforts, he lodged a complaint at the police station, based on which a case in Crime No. 95/2025 under Section 303(2) of the BNS. During the course of investigation, as the vehicle remained undetected, the case was initially closed. Subsequently, the present petitioner was arrested in another crime, during which the vehicle involved in the present case was seized. Thereafter, the case was revived, and accordingly, the petitioner was arrayed as an accused.

3. Heard Sri Jakkamsetti Ravindra, 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 innocent of the alleged offences and has been falsely implicated in the present case. He contended that the petitioner is in no way connected with the alleged recovery and that, despite arresting the petitioner in Crime No.254 of 2025, the present case was already pending and no PT warrant was issued to regularize the arrest of the petitioner in the present crime. He further submitted that the alleged offences are punishable with imprisonment of less than seven years. Therefore, he prayed that this Court grant pre-arrest bail to the petitioner. He also submitted that, although the prosecution contended that there are previous crimes against the petitioner, all such cases ended either in acquittal and were compromised before the Lok Adalat.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner contending that the petitioner is not entitled to bail as he is a habitual offender and was previously involved in similar crimes. He further contended that although the case was initially closed, the same was revived upon recovery of the property and, as such, custodial interrogation of the petitioner is required. Therefore, he prayed the Court to dismiss the Criminal Petition.

6. In the light of the submissions made by both the learned counsel and upon a perusal of the material available on record, it appears that the case was registered in Crime No.95 of 2025 for the missing of a vehicle. When the property was recovered in Crime No.254 of 2025 based on the confession of accused No. 1 therein, the petitioner herein was arrayed as an accused in the present crime. However, on the date of recovery, the petitioner was in jail and no steps were taken by the Investigating Authority to regularize the arrest of the petitioner. Considering the facts and circumstances of the case, this Court deems it fit to grant pre-arrest bail to the petitioner, subject to the following conditions:

- i. The petitioner shall surrender before the Station House Officer, Saifabad Police Station, Hyderabad, within two weeks from today, and on such surrender, the said Station House Officer shall release him on bail on executing a personal bond for Rs.15,000/-, each 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 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.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 04.02.2026
SAI

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.544 of 2026

,

Date: 04.02.2026
SAI