

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.961 of 2026

DATE: 05.02.2026

BETWEEN:

Durva Nageshwar

..... Petitioner/Accused No.1

And

The State of Telangana,
Rep. by Public Prosecutor,
High Court for the State of Telangana,
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 petitioner, who is arrayed as accused No.1 in Crime No.614 of 2025 before the Mavala Police Station, Adilabad District, registered for the offences punishable under Sections 447, 420, 467, 468 and 471 read with 34 of IPC.

2. The brief facts of the case are that, the *de facto* complainant, lodged a report before the police on 20.11.2025 stating that her husband owned a vast land measuring 5 acres in Sy.No.181/8. Out of this, 2 acres had been lost due to the construction of a winding road, leaving them with 3 acres of agricultural land. Following her husband's death, and due to her ill health, she had been unable to cultivate the land for the past three years. Taking advantage of this situation, certain individuals attempted to carry out illegal construction on the property. Hence, she requested the police to take necessary action. Based on her complaint, the police initially registered a case against the accused for offences punishable under Sections 329(4), 351(2) read with 3(5) of the BNS. Later, during the course of investigation and on the basis of the confession statement of Accused No.2, it was revealed that one Lakshmi had sold the property to Accused No.2 by falsely claiming ownership of 3 acres of land and by creating fabricated documents. The accused were found to have accompanied Lakshmi and received payment from Accused No.2, thereby making them liable for the aforesaid offences.

3. Heard Sri S. Ravi Kiran 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 innocent of the allegations and have no connection whatsoever with the alleged land dispute between the parties. He is complete stranger to the property in dispute, and there is no specific allegation against him to attract the offence punishable under Section 467 of IPC. He further contended that all other alleged offences are punishable with imprisonment of less than seven years, and therefore 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 filed counter, opposing the submissions made by the learned counsel for the petitioner stating that the petitioner herein assisted Lakshmi in the creation of fake documents. Though Lakshmi was not the owner of the property, he along with other accused conspired together to sell it, and custodial interrogation of the petitioner is necessary for further investigation. At this

stage, granting pre-arrest bail does not arise, and hence 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 observed that the petitioner is shown as accused No.1. Initially, there was no allegation under Section 467 of IPC, but it was later included. There is no direct allegation against the petitioner to attract the offence under Section 467 of IPC, and therefore custodial interrogation does not appear necessary at this stage. Considering the facts and circumstances of the case, this Court deems it fit to grant pre-arrest bail to the petitioner, subject to conditions.

- i. The petitioner shall surrender before the Station House Officer, Mavala Police Station, Adilabad District 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.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 between 09:00 a.m, and 05:00 p.m., 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

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