

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.2852 of 2026

DATE: 06.03.2026

Between:

Sajjad Ali and another

..... Petitioners/Accused Nos.1 and 3

And

The State of Telangana,
Rep. by its Public Prosecutor,
High Court at Hyderabad,
Through SHO, P.S. Mahankali.

.....Respondent/complainant

: ORDER :

This Criminal Petition is filed before this Court for grant of bail to the Petitioners who are arrayed as accused Nos.1 and 3 in FIR No.184 of 2025 of Mahankali Police Station, Hyderabad District, registered for the offences punishable under Sections 318(4), 303(2), 111(1)(ii) r/w 3(5) of the BNS.

2. The case of the prosecution is that, on 14.12.2025, the de-facto complainant lodged a report before the police stating that the Complainant was working Since 2 years as a gold

ornament maker under the Owner Ashish Samantha. On 06/12/2025, the Complainant Owner told him to go and get gold die cutting done at M.S. Die Cutting Shop in Kalasiguda. But they said that the 75 grams of gold Complainant had brought was not enough for die cutting and that they needed more gold and then on way to his Shop to get some more gold. While walking near the lodge complex near Kalasiguda, one unknown person aged about 60 years stopped him and asked him that he needed incense sticks for Pooja. Then Complainant said he don't know and as Complainant was leaving, he called him again and said if you give me some incense sticks, you will get God's blessings. Complainant brought him incense sticks. At that time, another unknown person aged about 40 years came there. Then that person told Complainant about God and told him that if you also pray with us, you will receive God's grace and Complainant believing their words, walked with them until they took him to the main road near Minerva Hotel. Then they asked Complainant that what was in his pocket, and Complainant said gold. Later, they asked Complainant that shouldn't have in his pocket while praying, Complainant took the gold out of his pocket and gave it to them. First, one of the two men

prayed, walked 10 steps forward, and then came back. Then they told Complainant to pray in the same way. He also walked forward and took about 10 steps and looked back and saw them fleeing in an auto. Later, Complainant realized that they lied to him, deceived him, took the gold that was in his pocket, and fled away. Complainant went to his hometown, Calcutta without telling anyone, fearing that if he told to his owner about this, he would scold him. Later, when Complainant owner called and didn't pick up the phone, his owner came to Calcutta and asked him that, what happened and Complainant explained about that incident. Later, Complainant owner brought him from Calcutta to Hyderabad. Hence, he requested for taking necessary action. Basing on the said complaint, the police registered a case for the above said offences.

3. Heard Sri Syed Jaweed Abbas Nadeem, learned counsel appearing on behalf of the petitioners as well as Sri M. Ramachandra Reddy, learned Additional Public Prosecutor appearing for the respondent -State.

4. Learned counsel for the petitioners submitted that the petitioners are innocent of the said allegations and they are

in jail since 03.01.2026 and the police alleged that the petitioners herein are habitual offenders and registered the offence under Section 111(1)(ii) of the BNS and only two crimes are pending against the petitioners and there is no charge sheet is filed to attract the offence under Section 111(1)(ii) of the BNS and the offence punishable under Section 111(1)(ii) of the BNS is not applicable to the present case and the remaining offences are punishable upto seven years. It is also submitted that the statutory period for grant of mandatory bail has already been completed, as such, the petitioners are entitled for bail and the entire investigation was already completed. Therefore, he prayed the Court to grant bail to them by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioners stating that receiver of the gold ornaments is not arrested by the investigating authority and the gold ornament is not recovered in the present case, at this stage, the petitioners are not entitled for the bail and prayed the Court to dismiss the criminal petition.

6. In the light of the submissions made by both the learned counsel and upon perusal of the material available on record, it appears that the petitioners herein are in jail since 03.01.2026 and though there are other two crimes pending against the petitioners herein, that is not a ground to deny the bail of the petitioners. As seen from the remand case diary, the prosecution witnesses, LWs 1 to 13 including the investigating authority have already been examined. Considering the facts and circumstances of the case, the nature of the allegations, the stage of investigation, the duration of incarceration, this Court finds it appropriate to grant bail to the petitioners, subject to the following conditions:

- i. The petitioners shall execute a personal bond for a sum of Rs.25,000/- each (Rupees Twenty Five Thousand only), with two sureties for a like sum each to the satisfaction of the learned XI Additional Chief Judicial Magistrate, at Secunderabad.
- ii. The petitioners shall appear before the concerned SHO at 11:00 a.m., on

every Monday for a period of eight (8) weeks or till filing of charge sheet whichever is earlier, for the purpose of investigation, and thereafter, as and when required.

- iii. The petitioners shall abide by the conditions stipulated in Section 437(3) of Cr.P.C. (presently, Section 480(3) of the BNSS).

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

Date :06.03.2026
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K. SUJANA, J

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