

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

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.3950 OF 2026

DATE: 01.04.2026

BETWEEN:

Albert Alphonsa Harry.

... Petitioner/
Accused No.1

And

The State of Telangana,
represented by its Public Prosecutor
High Court for the State of Telangana
Hyderabad. ... Respondent

ORDER

This Criminal Petition is filed under Section 482 of the 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.17 of 2026 on the file of Trimulgherry Police Station, Hyderabad, registered for the offences punishable under Sections 336 (3), 338, 340 (2) and 351 of the BNS.

2. Heard M/s. JMS Law Firm, learned counsel for the petitioner-accused No.1 and Sri M.Ramachandra Reddy, learned Additional Public Prosecutor appearing for the respondent-State, and J.C. Frances, learned counsel for the *de facto* complainant.

3. The case of the prosecution is that the on 14.01.2025 *de facto* complainant came to the police station and lodged a report stating that she is the absolute owner and possessor of house plot No.21, Adm 157.26 square yards, in survey No.57/2, situated at Kanta Basthi, Secunderabad Cantonment, Secunderabad, having purchased the same from her vendor in the year 1996 and got registered through document bearing No.80 of 1997. It is stated that due to old age, the complainant registered a Settlement Deed, dated 27.09.2025 of the entire property in favour of their daughters, who in turn submitted application for mutation in Secunderbad Cantonment Board they came to know through Encumbrance Certificate that the husband of the petitioner, who is brother of the complainant had executed Registered Settlement Deed document bearing No.1497 of 2025, dated 29.09.2025, through forged, fabricated and personated/signed unregistered General Power of Attorney, dated 26.03.2016 and got registered her property in the name of the petitioner, in respect of the property in collusion with SRO, Bowenpally, without having any right by forging the complainant's signature on unregistered GPA. Hence, she requested the police to take necessary action against

the petitioner. Basing on the same, police registered a case for the aforesaid offences.

4. Learned counsel for the petitioner-accused No.1 would submit that the petitioner is innocent of the offences alleged against her; that whatever allegations made by the *de facto* complainant are against husband of the petitioner only; that the subject document is not a forged and registered document as alleged by the prosecution; that the petitioner is aged about 74 years and as such requested this Court to grant Anticipatory Bail to the petitioner.

5. On the other hand, learned Additional Public Prosecutor opposed the same and submits that the offences alleged against the petitioner are constituting that she committed the alleged offence, which is severe in nature; that the document is fabricated by the husband of the petitioner and thereafter the same was impersonated by the petitioner in collusion with her husband, as such the petitioner is not entitled for grant of bail. He further submits that if the petitioner will produce the said document before the investigating authority, they conduct further investigation in the matter and hence, he prays to dismiss the bail.

6. Learned counsel for the *de facto* complainant submits that is not innocent of the offences alleged against her; that inclusion with her husband she fabricated the signatures and hence, he prays to dismiss the petition.

7. Considering the submissions made by learned counsel for the parties and perusal of the material on record, the petitioner is arrayed as an accused in Crime No.17 of 2026. The allegation against the petitioner is that she forged the GPA of 2016 at the instance of her husband, which is an offence punishable under Section 338 of the BNS and taken the value property of the complainant. Considering the submission made by learned Additional Public Prosecutor, the petitioner is directed to produce the original GPA before the Investigating Authority for further investigation in the matter. Considering the above aspects, this Court is inclined to grant bail to the petitioner-accused No.1 subject to the following conditions:

- (i) The petitioner-accused No.1 shall surrender before the Station House Officer, Trimulgherry Police Station, within two (2) weeks from today, and on such surrender, the petitioner shall be released on bail on executing a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties for a like sum each.
- (ii) On such release, the petitioner-accused No.1 shall appear before the concerned Investigating Officer on every Wednesday 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.

(iii) Further, the petitioner-accused No.1 shall produce the original GPA before the Investigation Authority for further investigation.

(iv) The petitioner-accused No.1 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.

8. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 01.04.2026

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