

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

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.4000 of 2026

DATE: 26.03.2026

Between:

Vallepu Rajaiah

.... Petitioner/
Accused No.2

AND

State of Telangana,
Rep. by its 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 are arrayed as accused No.2 in
connection with Crime No.37 of 2026 of Mulkanoor Police Station,
Warangal, registered for the offence punishable under Section 5
read with 6 of Explosive Substance Act, 1908.

2. The brief facts of the case are that, on 12.03.2026 the *de-facto* complainant, a Constable, lodged a report stating that at about 15:30 hours, while conducting patrolling duty, he noticed an auto coming from the opposite direction. On seeing the police, the driver of the auto turned his vehicle around. Suspecting his behavior, the Constable stopped the auto. Upon enquiry, the driver revealed his name, and a search of the vehicle was conducted. During the search, eight boxes of gelatine sticks (IDEAL POWER 90), each box containing 180 sticks, totaling 1,440 gelatine sticks, Detonators — 76 bundles, each containing 25 detonators, totaling 1,900 detonators and Cardex wire — 8 large bundles and 2 small bundles were found. The auto driver further revealed that Accused No. 2 had transported the explosives in his auto to sell them to persons engaged in blasting for agricultural well-digging. When asked to produce valid licence papers for transporting the explosives, the driver admitted that he did not possess any such documents. Based on this report, the police registered a case against the accused for the alleged offences.

3. Heard Sri A. Prabhakar Rao, learned counsel appearing on behalf of the petitioner, and Sri M. Ramachandra Reddy, learned Additional Public Prosecutor appearing on behalf of the respondent–State.

4. Learned counsel for the petitioner submitted that the petitioner, who is arrayed as Accused No.2, holds a valid licence to sell explosive substances. The said licence was obtained on 13.12.2023 and remains valid until 13.03.2027. He further contended that the prime allegations are directed against Accused No.1, and that Section 5 of the Explosive Substances Act, 1908, is not applicable to the petitioner herein, as he possesses a valid licence to sell explosive substances and that the petitioner is ready and willing to cooperate with the investigation and prayed the Court to grant pre-arrest bail to the petitioner by allowing the present Criminal Petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions, contending that the allegations against the petitioner are serious and grave in nature and that the petitioner cannot entrust explosive substances to a person who does not hold a valid licence to transport them. He further submitted that the investigation is at a nascent stage and custodial interrogation of the petitioner is necessary for effective investigation. Hence, he prayed for dismissal of the Criminal Petition.

6. In light of the submissions made by both learned counsel and upon perusal of the material available on record, it appears that the petitioner holds a valid licence obtained on 13.12.2023, which is valid until 13.03.2027. As such, Section 5 of the Act is not attracted to the petitioner, since the licence authorizes him to sell explosive substances. Considering the overall facts and circumstances of the case, and the fact that the petitioner is holding a valid licence, this Court deems it fit to grant pre-arrest bail to the petitioner – Accused No.2, subject to the following conditions:

- i. The petitioner shall surrender before the Station House Officer, Mulkanoor Police Station, Warangal 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 Wednesday between 09:00 a.m, and 05:00 p.m. 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.

7. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand
closed.

K. SUJANA, J

Date: 26.03.2026

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