IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

FRIDAY, THE SEVENTEENTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

CRIMINAL PETITION NO: 5619 OF 2026

Between:

Mr.Eshwar Saraswathi, S/o.Saraswathi Seetaramaraju, Aged about 33 years, Occ: Care Operations Coordinator, R/o. H.No.17-1-388/1/13, Sai Mansion, 2nd Floor, Flat No.203, Road No.8, Lakshmi Nagar Colony, Near DPS School, Saidabad, Hyderabad - 500 059.

...Petitioner/Accused No.2

AND

1. The State of Telangana,, Rept by its Public Prosecutor, High court of Telangana, at Hyderabad (through P.S., Madhapur)
2. Bollepalli Prasadaraju, S/o Late Brahmaraju, Aged 60 yrs, Occ: Business, R/o. Dahegam, Kamarambheem, Asifabad District.

(Cause title Impleaded as respondent no.2 as per court dated 16/04/2026 vide IA.No.1/2026)

...Respondents/Defacto Complainant

Petition under Section 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to set aside and quash the impugned order dated 07.04.2026, passed in Crl.M.P.No.51 of 2026 in S.C.No.306 of 2023, on the file of V Additional Chief Judicial Magistrate, Ranga Reddy district at Kukatpally, in the interest of justice.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Vinod Kumar Deshpande, Senior Counsel representing Sri Emmadi Upender, Advocate for the Petitioner and Sri Jithender Rao Veeramalla, Additional Public Prosecutor on behalf of the Respondent No.1 and of Sri D. Balu, Advocate for the Respondent No.2.

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HONOURABLE SRI JUSTICE J.SREENIVAS RAO

CRIMINAL PETITION No.5619 of 2026

Date 17.04.2026

Between:
Mr.Eshwar Saraswathi

...Petitioner

AND

The State of Telangana and another

...Respondents

ORDER

This Criminal Petition has been filed aggrieved by the order dated 07.04.2026, passed by the learned V Additional Chief Judicial Magistrate, Ranga Reddy, at Kukatpally in Crl.M.P.No.51 of 2026 in S.C.No.306 of 2023, whereby the application filed by the petitioner to permit him to travel abroad i.e., London, England, United Kingdom, was dismissed.

2. Heard Sri Vinod Kumar Deshpande, learned Senior Counsel representing Sri E.Upender, learned counsel for the petitioner, Sri Jithender Rao Veeramalla, learned Additional Public Prosecutor appearing for respondent No.1, and Sri D Balu, learned counsel for respondent No.2.

3. Learned Senior Counsel for the petitioner submits that the petitioner was arrayed as accused No. 2 in S.C. No. 306 of 2023 for the offences punishable under Section 306 of the Indian Penal Code, 1860 (for short 'IPC'). The petitioner has been discharging his duties as Care Operations Coordinator at Caremark Croydon Company, London, United Kingdom and he came to India on 13.02.2026 and he has to report to his office at the United Kingdom on or before 19.04.2026. The petitioner filed Crl.M.P.No.50 of 2026 seeking return of his passport bearing No. V1773717 as interim custody, and Crl.M.P. No. 51 of 2026 seeking permission to travel abroad, i.e., London, England, United Kingdom. However, the learned trial Court, without properly considering the contentions of the petitioner, dismissed both the applications, by way of a common order dated 07.04.2026. He further submits that unless this Court returns the passport and permit the petitioner to travel to the United Kingdom on or before 19.04.2026, he will be put to great hardship. He also submits that the petitioner will abide by any conditions that may be imposed by this Court.

4. *Per contra*, learned counsel for respondent No. 2 submits that, due to non-appearance of the petitioner, the trial Court is

unable to proceed with the matter. The petitioner, with an intention to drag on the proceedings, has filed the application. The presence of the petitioner before the trial Court is very much required for the speedy disposal of the proceedings. The learned trial Court has rightly dismissed the application, and the petitioner is not entitled to any relief sought in the present petition.

5. This Court has considered the rival submissions made by both parties and perused the material available on record. It is not in dispute that the petitioner was arrayed as accused No. 2 in S.C.No.306 of 2023, for the offence punishable under Section 306 of the IPC. The petitioner has specifically pleaded in the memorandum of grounds that he is discharging his duties as Care Operations Coordinator at Caremark Croydon Company, London, United Kingdom and he has to resume his duties and report to his employer on or before 19.04.2026, failing which he is going to lose his employment.

6. Taking into consideration the peculiar facts and circumstances of the case, this Court is inclined to grant permission for return of passport bearing No. V1773717 as interim custody to the petitioner and to travel abroad, i.e., London, England, United Kingdom, with the following conditions:-

i) The petitioner/accused No.2 shall furnish an amount of Rs.1,00,000/- (Rupess One Lakh only) with two sureties to the satisfaction of the learned V Additional Chief Judicial Magistrate, Ranga Reddy, Kukatpally.

ii) The petitioner/accused No.2 shall file an undertaking stating that he shall return to India on or before 01.07.2026 and shall deposit his passport before the trial Court within one week of his return back to India.

iii) The petitioner/accused No.2 shall not leave India without prior permission of the learned trial Court.

iv) The petitioner/accused No.2 shall furnish his travel particulars, the place where he intends to reside at United Kingdom as well as his office address, mobile number, email address, before the trial Court. In default, the learned trial Court is entitled to proceed with the matter.

7. With the above directions, the criminal petition is disposed of.

Miscellaneous applications, pending if any, shall stand closed.

SD/- M. OSMAN ALI BAIG
ASSISTANT REGISTRAR

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SECTION OFFICER

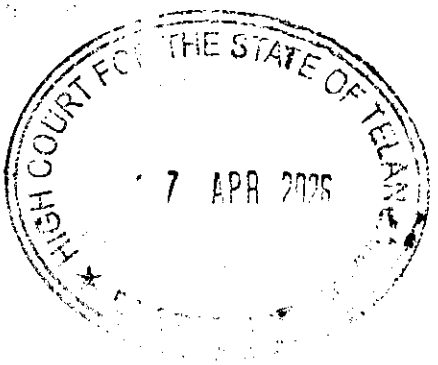
To,

1. The V Additional Chief Judicial Magistrate, Kukatpally, Ranga Reddy (with records if any)
2. The XII Additional Metropolitan Magistrate, Kukatpally, Cyberabad
3. The Station House Officer, Madhapur Guttala Police Station, Cyberabad
4. Two CCs to Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
5. One CC to Sri Emmadi Upender, Advocate [OPUC]
6. One CC to Sri D. Balu, Advocate [OPUC]
7. Two CD Copies

ABK

HIGH COURT

DATED: 17/04/2026



ORDER

CRLP.No.5619 of 2026

DISPOSING OF THE CRIMINAL PETITION

(10)
17/04/26