

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT
HYDERABAD

THE HONOURABLE SMT. JUSTICE T.MADHAVI DEVI

CRIMINAL PETITION No.6689 of 2026

Date: 14.05.2026

Between:

Mulpury Sivarama Krishna

..Petitioner/Accused No.2

And

The State of Telangana,
Rep. by its Public Prosecutor,
High Court at Hyderabad.

..Respondent

: O R D E R :

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.2 in Crime No.368 of 2026 of Madhapur Police Station, Cyberabad, registered for the offences punishable under Sections 318(A) r/w 61(2) of the Bharatiya Nyaya Sanhitha, 2023 (for short 'BNS') and Section 5 of the Telangana Protection Of

Depositors Of Financial Establishments Act, 1999 (for short 'TSPDFEA').

2. The brief facts of the case are that on 04.03.2026, the complainant lodged a complaint alleging that Bharati Builders India Private Limited, Mr.Sunil Kumar Ahuja, and their associates committed a pre-launch real estate fraud in relation to the proposed project "Bharathi Green Empire Heights" at Bhanur Village, Sangareddy District. It is alleged that more than 340 homebuyers invested about Rs.70 crores based on assurances that statutory approvals were under process. However, the project was neither launched nor developed, and refunds were allegedly denied. The complainant further alleged that the project land was transferred to financier Mr.Sunil Kumar Ahuja and his associated companies without informing the customers, causing severe financial loss and mental distress to hundreds of families. Hence, he requested to take action against the accused.

3. Heard Sri M.A.Mujeeb, learned counsel appearing on behalf of the petitioner as well as Sri Vivekananda Reddy,

learned Assistant Public Prosecutor appearing on behalf of the respondent - State.

4. Learned counsel for the petitioner submitted that the petitioner is the Director of M/s Bharathi Builders India Private Limited. It is submitted that, on the basis of a complaint lodged by one of the purchasers, Crime No.13 of 2026 dated 16.02.2026 was registered and notice under Section 35(3) of the BNSS was issued to the petitioner, to which he submitted his explanation and cooperated with the investigation. It is further submitted that, thereafter, on the very same set of facts and allegations, another complaint came to be lodged, resulting in registration of Crime No.48 of 2026 dated 11.03.2026 against the petitioner for the offences punishable under Sections 318(4) r/w 61(2) of the BNS and Section 5 of the TSPDFEA. It is also submitted that the dispute pertains to a real estate transaction and is essentially civil in nature. Learned counsel further relied upon the orders passed by this Court in Crl.P.Nos.2906 and 2907 of 2023, wherein it was observed that the aforesaid provisions are not applicable to such transactions. Therefore, he prayed for grant of pre-arrest bail to the petitioner by allowing the Criminal Petition.

5. On the other hand, learned Assistant Public Prosecutor opposed the submissions made by the learned counsel for the petitioner stating that the allegations leveled against the petitioner are serious in nature. Therefore, at this stage, granting of pre-arrest bail to the petitioner does not arise. Hence, he prayed the Court to dismiss the criminal petition.

6. In the light of the submissions made by both the learned counsel, and considering that there is no allegation that the petitioner is not cooperating with the investigation and notice under Section 35(3) of the BNSS has already been issued and the petitioner has submitted his explanation with respect to the same set of facts, this Court deems it fit to grant pre-arrest bail to the petitioner, subject to the following conditions:

- i. The petitioner shall surrender before the Station House Officer, Madhapur Police Station, Cyberabad, 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/-, each 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., for a period of eight (8) weeks 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.

JUSTICE T.MADHAVI DEVI

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vsl/dpm

28

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