

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

THE HONOURABLE SRI JUSTICE E. V. VENUGOPAL

CRIMINAL PETITION No.7631 of 2026

DATE: 14.05.2026

BETWEEN:

Mr.Abbugari Mohan and another

.....petitioners/accused

And

The State of Telangana,
Through SHO, P.S.Chanda Nagar,
Rep. by its Public Prosecutor,
High Court for the State of Telangana
at Hyderabad.

.....Respondent/complainant

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 petitioners, who are arrayed as

accused in Crime No.1253 of 2025 before the Chandanagar Police Station, Cyberabad Commissionerate, registered for the offences punishable under Sections 336(2) and 338 of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS').

2. The brief facts of the case are that the Jai Beem Youth Association, represented by its office bearers, submitted a complaint alleging large-scale encroachment and fraudulent transactions in government land situated in Survey Nos. 373, 374, and 375 of Chandanagar Village, Serilingampally Mandal, Ranga Reddy District. The land, admeasuring Ac.4-36 guntas, was acquired by the Social Welfare Department for weaker section housing, including land reserved for public utility purposes. It is alleged that several persons executed fraudulent sale deeds by fabricating PTIN and GHMC house numbers to falsely claim ownership over the government land. An enquiry conducted by the Deputy Collector & Tahsildar, supported by a joint inspection report of the Mandal Surveyor and Mandal Girdawar, confirmed that the land belongs to the Social Welfare

Department and is protected under Section 22-A of the Registration Act, 1908. The enquiry report recommended legal action against the encroachers and restoration of the land for community use. Based on the complaint and official reports, the present FIR was registered.

3. Heard Mr.S.Nagesh Reddy, learned counsel for the petitioners and Mr.M. Ramachandra Reddy, learned Additional Public Prosecutor appearing on behalf of the respondent – State.

4. Learned counsel for the petitioners submitted that the de facto complainant, claiming himself to be the Vice President of the Jai Bheem Youth Association, lodged the present complaint alleging large-scale encroachment and fraudulent transactions in government land situated in Survey Nos. 373, 374, and 375 of Chandanagar Village, Serilingampally Mandal, Ranga Reddy District. It is contended that the complaint is not supported by any resolution of the said Association. He further submitted that the allegations pertain to land admeasuring Ac.4-36 guntas acquired by the Social Welfare Department for weaker

section housing and public utility purposes. Despite the order passed by the co-ordinate Bench of this Court in W.P.No.17738 of 2007, the petitioners were arrayed as accused Nos.4 and 7. The learned counsel further contended that the *de facto* complainant has no locus standi to file the complaint and is not an aggrieved party. According to him, if at all any complaint was to be lodged, the same ought to have been filed either by the Social Welfare Department or the Revenue Authorities. He also submitted that the ingredients of Section 336(2) of the BNS are not attracted, as no specific act of forgery has been alleged except the allegation regarding fabrication of PTIN numbers. It is further contended that Section 338 of the BNS is also not applicable, as no valuable security was created on the basis of the alleged forged documents. He further submitted that accused Nos.1 and 2 have already been granted regular bail. Therefore, he prays to grant anticipatory bail to the petitioners.

5. *Per contra*, the learned Additional Public Prosecutor opposed the grant of anticipatory bail and submitted that the trial

Court rightly dismissed the anticipatory bail application filed by the petitioners, as it is alleged that valuable government property has been encroached upon and an attempt has been made to sell it by the petitioners along with the other accused. Therefore, he prayed that the Criminal Petition be dismissed.

6. Having regard to the submissions made by both sides and upon perusal of the material available on record, it appears that the ingredients of Sections 336(2) and 338 of the BNS do not co-exist with the allegations made against the petitioners. In the absence of the requisite ingredients, subjecting the petitioners to further prosecution would amount to an abuse of the process of law. Therefore, this Court deems it fit to grant pre-arrest bail to the petitioners, subject to the following conditions:

- i. The petitioners shall surrender before the Station House Officer, Chandanagar Police Station, Cyberabad Commissionerate, 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.2,00,000/-, each with two sureties, for the like sum each.

- ii. The petitioners 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 petitioners 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.
- iv. The petitioners shall surrender their passport, if any, before the concerned Court.
- v. The petitioners shall not directly or indirectly contact, threaten, induce, or influence the de facto complainant or any of the prosecution witnesses.
- vi. In the event of violation of any of the above conditions, the prosecution shall

be at liberty to seek cancellation of bail
in accordance with law.

8. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand
closed.

E.V. VENUGOPAL, J

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