

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SRI JUSTICE E.V. VENUGOPAL

CRIMINAL PETITION No. 7588 of 2026

DATE: 14.05.2026

BETWEEN:

Goli Siva Reddy @ Siva Rami Reddy

.....petitioner/accused No.3

And

The State of Telangana,

Rep. by its Public Prosecutor,

Through PS Vemsoor

.....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 petitioner, who is arrayed as accused No.3 in Crime No.65 of 2026 before the Vemsoor Police Station, Khammam District, registered for the offences

punishable under Sections 318(4) r/w 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS').

2. The brief facts of the case are that the *de facto* complainant/ASI of P.S. Vemsoor alleged that A1, driver of lorry bearing No. AP 16 TA 4499, and A2, both residents of Yerraguntapalli, Chintalapudi Mandal, Eluru District, acting on the instructions of A3/petitioner, the owner of the said lorry, along with A4 of NTR Colony, Sathupally Mandal, were illegally transporting approximately 34 tons of sand worth Rs.34,000/- from Kovvur, Andhra Pradesh to Lingapalem Village, Telangana, via the Greenfield Highway without valid permits or licence, with an intention to earn unlawful gain.

3. Heard Mr.V. Karthik Goud Burra, learned counsel for the petitioner and Mr.M.Ramachandra Reddy, learned Additional Public Prosecutor appearing on behalf of the respondent – State.

4. Learned counsel for the petitioner submitted that the petitioner has been falsely implicated under Sections 318(4) r/w

3(5) of the BNS. Subsequently, during the course of investigation, Section 111(2)(b) of the BNS was added. He would submit that the petitioner, who is the owner of lorry bearing No. AP 16 TA 4499, was arrayed as an accused solely on the basis of the confession statement of the driver of the lorry/A1, wherein he stated that the sand was loaded into the lorry at the behest of the petitioner. He further submitted that the anticipatory bail application filed by the petitioner vide CrI.M.P.No.438 of 2026 was dismissed by the learned VI Additional Sessions Judge, Sathupally, on 01.05.2026 on the ground that the petitioner was allegedly involved in similar offences relating to illegal transportation of sand. Aggrieved by the said dismissal order, the present Criminal Petition has been filed seeking grant of pre-arrest bail. He further submitted that the petitioner is innocent and has been falsely implicated due to political rivalry, and that no panchanama report has been drawn to show his presence at the scene of offence. Therefore, he prayed the Court to grant pre-arrest bail to the petitioner by allowing this Criminal Petition.

5. Learned Additional Public Prosecutor opposed the petition contending that the petitioner is causing great loss to the State exchequer and is a habitual offender involved in several cases, namely Cr.Nos.60, 83, 103 and 203 of 2025 of P.S. Vemsoor and Sathupally, relating to illegal transportation of sand. Hence, he prayed the Court to dismiss the criminal petition.

6. In light of the submissions made by both sides and upon perusal of the material available on record, it *prima facie* appears that the petitioner was initially arrayed as an accused for the offence under Section 318(4) r/w 3(5) of the BNS. Subsequently, during the course of investigation, Section 111(2)(b) of the BNS was added. Section 111(2)(b) of the BNS is extracted hereunder:

“Section 111(2)(b)

Whoever, attempts to commit or commits an offence of organised crime shall,

(b) in any other case, be punishable with imprisonment for a term which shall not be less than five years but which may extend to imprisonment for life and shall also be liable to fine which shall not be less than five lakh rupees.”

7. In the present case, none of the ingredients of Section 111(2)(b) of the BNS are attracted against the petitioner. The petitioner has been arrayed as an accused solely on the basis of the confession statement of the driver of the lorry, wherein he stated that the sand was being illegally transported at the behest of the petitioner. Therefore, 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, Vemsoor Police Station, Khammam 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.2,00,000/-, 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.

- iv. The petitioner shall surrender his passport, if any, before the concerned Court.
- v. The petitioner 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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sa/gv

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