

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT
HYDERABAD

THE HONOURABLE SMT. JUSTICE T.MADHAVI DEVI

CRIMINAL PETITION No.7831 of 2026

Date: 21.05.2026

BETWEEN:

Hemanth Kumar Srivastava

... Petitioners/Accused No.2

And

The State of Telangana

Rep., by its Public Prosecutor,

High Court for the State of Telangana.

... Respondent/Complainant

ORDER

The petitioner-accused No.2 filed the present application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, seeking to grant bail to him in Crime No.102 of 2021 on the file of Raikal Police Station, Jagtial, registered for the offences punishable under Sections 406, 409, 420 of the Indian Penal Code, 1860 and Sections 66-C, 66-D of Information Technology Act, 2000.

2. The brief facts of the case are that the accused persons demanded the amounts from the complainant by falsely representing themselves as authorities from the Income Tax

Department and Birla Sun Life Insurance and deceived the complainant. Hence, a case was registered against the accused persons.

3. Heard P. Vidhyadhar Goud, learned counsel appearing on behalf of the petitioner as well as Mr.Vivekananda Reddy, learned Assistant Public Prosecutor appearing on behalf of the respondent - State.

4. Learned counsel for the petitioner submits that notice under Section 35(3) of the BNSS was issued to the petitioner on 05.04.2026. He further submitted that, the petitioner was apprehended on 06.04.2026 when he approached the Police to submit his explanation and that the voluntary surrender of the petitioner is incorrect. He also submitted that except the alleged offence under Section 409 of the IPC, the punishment prescribed for the remaining alleged offence is below 07 years. Therefore, he prayed the Court to grant bail to the petitioner by allowing this Criminal Petition.

5. On the other hand, learned Additional Public Prosecutor opposed for grant of bail contending that the investigation is not yet completed in this case. Therefore, the petitioner is

apprehended and that prayed the Court to dismiss the Criminal Petition.

6. In the light of the submissions made by both the learned counsel and on perusal of the material available on record, it appears that the Police have already issued the notice under Section 35(3) of the BNSS for the alleged offence, however, the Police apprehended the petitioner without considering his explanation. Further, the petitioner is in jail since 06.04.2026. In view the facts and circumstances of the case and considering the allegations against the petitioner, this Court deems it fit to grant bail to the petitioner/accused subject to the following conditions:

- (i) The petitioner shall execute a personal bond for Rs.50,000/- (Rupees Fifty thousand only) with two sureties for a like sum each to the satisfaction of the I Additional Judicial Magistrate of First Class, Jagityal.
- (ii) The petitioner shall abide by the other conditions stipulated in Section 480(3) 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 not leave the State of Telangana without prior permission of the Court.

7. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

JUSTICE T.MADHAVI DEVI

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