

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

THE HONOURABLE SRI JUSTICE VAKITI RAMAKRISHNA REDDY

CRIMINAL PETITION NO.7947 OF 2026

DATE: 29.05.2026

BETWEEN:

Sri Ganesh Nalla

....Petitioner/Accused

AND

The State of Telangana,
Represented by its Public Prosecutor,
Through SHO, Malkajgiri,
Highcourt Buildings, Hyderabad.

....Respondent

ORDER:

1. This Criminal Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking the Court to grant anticipatory bail to the petitioner/Accused in the event of his arrest in connection with FIR No.371 of 2026 dated 05.05.2026 of Malkajgiri Police Station, Malkajgiri. The offences alleged against the petitioner are under Sections 318(4) and 351(2) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS').

2. The facts of the case are that the complainant, Sri Moti Kumar Mehta, is engaged in the business of supplying fire safety equipment and during the period from 28.06.2023 to 17.09.2025, he supplied fire safety materials to the accused, namely Ganesh Nalla, Proprietor of Elite Fire Safety, residing at H.No.18-413/12, Mallikarjuna Nagar, Street No.1, Malkajgiri, for a total value of Rs.2,35,12,208/- and out of the said amount, a sum of

Rs.41,93,836/- remained unpaid by the accused despite repeated demands. In this regard, the accused executed a written agreement dated 27.01.2026, undertaking to clear the outstanding amount on or before 29.04.2026, and issued three cheques bearing Nos.000128, 000129, and 000131 towards part payment of the dues. However, upon presentation, the said cheques were dishonoured due to insufficient funds. Even after expiry of the agreed due date, the accused failed to repay the outstanding amount and, when questioned, threatened the complainant with dire consequences and to foist false cases against him. Basing on the above complaint, a case in Crime No.371 of 2026 was registered for the offences mentioned above.

3. Heard learned counsel appearing for the petitioner and learned Additional Public Prosecutor appearing for the respondent-State.

4. Learned counsel appearing for the petitioner submits that the petitioner has been falsely implicated in the present crime and that he is innocent of the allegations levelled against him. It is further submitted that the entire dispute arose out of monetary transactions between the parties and has been given a criminal colour with an ulterior motive to harass the petitioner. Learned counsel further contends that the petitioner is ready and willing to co-operate with the investigation and he is ready to abide by any of the conditions imposed by this Court.

5. On the other hand, learned Additional Public Prosecutor appearing for the respondent-State opposed bail contending that the allegations against

the petitioner are serious in nature. Hence, the petitioner is not entitled for grant of bail and prayed this Court to dismiss this petition.

6. *Prima facie*, a perusal of the complaint itself reveals that the allegations levelled against the petitioner relates to a dispute arising out of financial transactions between the petitioner and the *de facto* complainant. Pursuant thereto, the petitioner is stated to have executed an agreement and issued post-dated cheques, agreeing to pay the amounts due and payable to the complainant on or before 29.04.2026. The complainant alleges that upon presentation of the said cheques, the same were dishonoured and therefore sought criminal action against the petitioner alleging criminal breach of trust and allied offences.

7. However, having regard to the nature of the allegations and the material placed before this Court, this Court is of the *prima facie* opinion that the dispute appears to be predominantly civil in nature arising out of financial transactions between the parties. Whether the essential ingredients constituting the alleged offences are made out or not is a matter to be examined during the course of investigation and trial. Further, the investigation appears to be substantially documentary in nature. No specific overt acts necessitating custodial interrogation of the petitioner have been demonstrated by the prosecution at this stage. The petitioner is stated to be a permanent resident and there is no material to show that he would abscond or tamper with evidence if enlarged on anticipatory bail.

8. Having regard to the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner.

9. Accordingly, the Criminal Petition is allowed granting anticipatory bail to the petitioner subject to the following conditions:

- i. The petitioner shall surrender before the Station House Officer, Malkajgiri Police Station, Malkajgiri, within two weeks from today, and on such surrender, the said Station House Officer shall release the petitioner on bail on his executing a personal bond for Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties, for the like sum each.
- ii. The petitioner shall appear before the concerned SHO between 09.00 a.m and 05.00 p.m., on every Monday for a period of eight (8) weeks, for the purpose of investigation or till filing of charge sheet whichever is earlier and thereafter, as and when required.
- iii. The petitioner shall abide by the other conditions stipulated in Section 482 (2) of BNSS and co-operate with the Investigating Officer in investigating the case.

Miscellaneous applications pending, if any, shall stand closed.

VAKITI RAMAKRISHNA REDDY,J

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NDS/KRK

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