IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HONOURABLE SRI JUSTICE N.TUKARAMJI

CRIMINAL PETITION No.8217 OF 2026

DATE : 16.06.2026

Between:

Bolla Ramesh

...Petitioner-accused No.6

AND

The State of Telangana

...Respondent

ORDER:

This Criminal Petition is filed under Section 482 of the *Bharatiya Nagarik Suraksha Sanhita*, 2023 (for short, "BNSS"), seeking grant of anticipatory bail in connection with Crime No.62 of 2026 on the file of the Economic Offences Wing, Cyberabad.

2. The petitioner is arrayed as Accused No.6 in FIR No.990 of 2026 originally registered by Narsingi Police Station, Cyberabad, which was subsequently transferred to the Economic Offences Wing, Cyberabad, and re-numbered as Crime No.62 of 2026. The crime has been registered for the offences punishable under Sections 338, 336(3), 318(4) read with Section 61(2) of the *Bharatiya Nyaya Sanhita*, 2023 (for short, "BNS").

3. Heard Mr. Avinash Desai, learned Senior Counsel appearing for the petitioner, and Mr. Palle Nageshwara Rao learned Public Prosecutor representing the respondent-State and I have perused the materials on record.

4. The prosecution case, in brief, is that the accused persons, including the present petitioner, allegedly conspired to create and utilize fabricated Government Orders relating to land situated in Survey No.18 of Gandipet Village. It is alleged that the petitioner entered into agreements with local farmers and financed the transactions which ultimately culminated in the alleged fraudulent scheme.

Submissions on behalf of the Petitioner

5.1. Learned Senior Counsel appearing for the petitioner submits that the petitioner himself is a victim of the fraudulent acts allegedly committed by Accused No.9 and others. It is contended that Accused No.9 represented to the petitioner that the subject land belonged to Accused Nos.1 to 4 and that the land required regularization through Governmental processes. Acting on such representations, the petitioner entered into a Memorandum of Understanding dated 30.10.2025 and subsequently paid substantial amounts through demand drafts towards the purported regularization process under the "Bhu-Bharathi Project".

5.2. Learned counsel further submits that during the course of events, it came to light that a complaint had been lodged by the Tahsildar alleging fabrication of Government Orders. It is pointed out that Accused No.9, in his alleged confessional statement, admitted to having fabricated the Government Orders in collusion with Accused No.11 and other persons. It is therefore contended that the genesis of the alleged fraud emanates from Accused No.9 and not from the petitioner.

5.3. It is further argued that none of the disputed Government Orders contains the petitioner's name. In fact, one of the alleged Government Orders reflects the name of a third party who is not even a signatory to the Memorandum of Understanding. According to the petitioner, it is inherently improbable that a person who had invested substantial amounts and parted with money believing the representations made by others would simultaneously conspire against his own financial interests by fabricating documents.

5.4. Learned counsel fairly submits that the petitioner may not have exercised adequate due diligence before entering into the transaction. However, mere negligence or lack of caution in a commercial transaction, by itself, cannot constitute criminal conspiracy or establish the requisite *mens rea* for the offences alleged. It is further submitted that there is no material demonstrating active participation of the petitioner in the preparation, creation, or use of the alleged forged Government Orders.

5.5. Learned counsel also submits that the petitioner is willing to cooperate with the investigation in all respects and undertake to produce all relevant documents as may be required by the Investigating Agency. It is contended that the prosecution case is predominantly based on documentary evidence, most of which has already been seized from other accused persons. Therefore, custodial interrogation of the petitioner is neither necessary nor warranted.

5.6. It is further argued that the allegation of conspiracy rests substantially upon statements allegedly made by co-accused persons and that no independent incriminating material has been placed before this Court to establish a prima facie nexus between the petitioner and the alleged fabrication of Government records. On these grounds, the petitioner seeks protection against arrest.

Submissions of the Prosecution

6.1. Per contra, the learned Public Prosecutor submits that the petitioner played a crucial role in the execution of agreements with local farmers and financed the entire transaction. It is contended that the materials collected during the investigation indicate that the agreements procured by the petitioner formed the foundation upon which the fabricated Government Orders came into existence.

6.2. The learned Public Prosecutor further submits that the statement of Accused No.9 discloses the involvement of the petitioner and necessitates a thorough investigation into the larger conspiracy. According to the prosecution, the investigation is at a crucial stage, involving multiple accused and extensive documentary scrutiny, and grant of anticipatory bail at this stage may adversely affect the investigation. Accordingly, dismissal of the petition is sought.

Consideration by the Court

7. This Court has given anxious consideration to the rival submissions.

8. The principal contention of the petitioner is that he has been wrongly arrayed as an accused despite being a victim of the alleged fraudulent conduct of the other accused persons. From the pleadings and submissions made before this Court, it is evident that the petitioner does not dispute the execution of the Memorandum of Understanding with the local farmers/Accused Nos.1 to 4. The petitioner also admits having paid certain amounts in their favour and in the name of the Bhu-Bharathi Project. It is further stated that the bank account through which such transactions were routed was opened by Accused No.9 in his own name in a nationalized bank.

9. At this stage of investigation, the allegations specifically relating to fabrication of Government Orders appear to be primarily directed against Accused No.9 and other persons alleged to have participated in the creation of such documents. Though certain circumstances relied upon by the prosecution require further investigation, the material presently available does not disclose any direct allegation that the petitioner himself fabricated the documents or actively participated in their preparation.

10. It is well settled that while considering an application for anticipatory bail, the Court is required to balance the individual's right to personal liberty guaranteed under Article 21 of the Constitution of India with the societal interest in a fair and effective investigation. In *Gurbaksh Singh Sibbia v. State of Punjab*, (1980) 2 SCC 565, the Constitution Bench held that anticipatory bail is an important facet of personal liberty and must be considered on the facts of each case.

11. Having regard to the nature of allegations, the documentary character of the evidence, the role attributed to the petitioner, the absence of any material indicating a likelihood of absconding, and the willingness expressed by the petitioner to cooperate with the investigation, this Court is of the view that custodial interrogation of the petitioner does not presently appear indispensable for the purposes of investigation.

12. In this view, this Court finds it appropriate to exercise the jurisdiction under Section 482 BNSS and extend the benefit of pre-arrest bail to the petitioner, subject to conditions safeguarding the interests of the investigation.

13. Accordingly, the Criminal Petition is allowed. The petitioner/Accused No.6 shall be enlarged on anticipatory bail in the event of his arrest in Crime No.62 of 2026 on the file of the Economic Offences Wing, Cyberabad, subject to the following conditions:

(A) The petitioner shall surrender before the Station House Officer, Economic Offences Wing, Cyberabad, on or before 02.07.2026. Upon such surrender, the Station House Officer shall release the petitioner on bail on his executing a personal bond for a sum of Rs.1,00,000/- (Rupees One Lakh only) with two sureties for a like sum each, to the satisfaction of the said officer.

(B) The petitioner shall appear before the Station House Officer every Thursday between 11:00 a.m. and 2:00 p.m. for a period of ten (10) weeks from the date of his release on bail and shall cooperate with the investigation in all respects.

(C) The petitioner shall remain available for interrogation as and when required during the course of investigation and shall extend full cooperation to the investigation.

(D) The petitioner shall also comply with all obligations contemplated under Section 482(2) BNSS and any lawful directions issued by the Investigating Agency.

(E) The petitioner shall furnish his complete residential address, mobile number and other contact particulars to the Investigating Officer and shall promptly intimate any change therein.

(F) The petitioner shall not directly or indirectly induce, threaten, influence, or promise any person acquainted with the facts of the case, nor shall he tamper with prosecution evidence in any manner whatsoever.

14. Pending miscellaneous applications, if any, shall stand closed. Miscellaneous applications, if any pending, shall stand closed.

N.TUKARAMJI, J

Date : 16.06.2026

MMR

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