IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HONOURABLE SRI JUSTICE N.TUKARAMJI

CRIMINAL PETITION No.15740 OF 2026

(CNR No. HBHC010662442026)

DATE: 01.10.2026

Between :

Ramu Nunthanaganti

… Petitioner

AND

The State of Telangana.

… Respondent

ORDER:

This Criminal Petition is filed under Section 482 of Bharatiya Nyaya Suraksha Sanhita*, 2023* (for short, 'BNSS'), seeking the relief of anticipatory bail.

2. The petitioner is arrayed as the sole accused in Crime No.48 of 2026 on the file of Achampet Police Station, Nagarkurnool, facing accusations under Sections 331(3) and 305 of the *Bharatiya Nyaya Sanhita, 2023* (for short 'BNS').

3. Heard Mr. Hussain Aamir, learned counsel for the petitioner and Mr.Syed Yasar Mamoon, learned Additional Public Prosecutor, representing the respondent-State.

4. The prosecution case, in brief, is that on 09.11.2025, the complainant had conducted a *pooja* (worship) at his house. The petitioner, who was known to the complainant's family members and used to work at the complainant's quarters, allegedly entered the bedroom, took the key of the locker, opened the locker, and committed theft of the complainant's wife's gold ornaments weighing approximately 1.25 *tolas* and valued at about Rs.40,000/-. The alleged theft came to light when the complainant's wife subsequently checked the locker. According to the complainant, the locker and the ornaments kept therein were accessible only to the family members, and the petitioner was aware of the whereabouts of the ornaments. Suspecting the petitioner's involvement, the complainant lodged a report, pursuant to which the crime came to be registered.

5. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case solely on the basis of suspicion. It is contended that there is no material to establish that the gold ornaments were in fact stolen, as they could have been misplaced, and that the efforts to trace the ornaments have not yielded any result. It is further submitted that the complainant alleged theft without there being any immediate indication or evidence of the same. Learned counsel also points out that there is an unexplained delay of approximately four months in lodging the complaint, which, according to him, was made only on the basis of

suspicion. He further contends that Section 331(3) of the BNS is not attracted to the facts and circumstances pleaded by the complainant and that, at the highest, if the allegation of theft is taken at face value, Section 305 of the BNS would be attracted, which is punishable with imprisonment for a term of less than seven years. Nevertheless, learned counsel submits that the petitioner is willing to cooperate with the investigation and abide by any conditions that may be imposed by the Court. On these grounds, he seeks the grant of anticipatory bail.

6. Learned Additional Public Prosecutor opposed the petition, submitting that, according to the complaint, the petitioner had knowledge of the whereabouts of the gold ornaments allegedly stolen. It is further submitted that the investigation is presently at a nascent stage and that the presence and cooperation of the petitioner are necessary for conducting the investigation effectively. Learned Additional Public Prosecutor contends that, in the event anticipatory bail is granted, there is a likelihood that the petitioner may not cooperate with the investigation, which may adversely affect the investigation and the prosecution case. On these grounds, seeks dismissal of the petition.

7. I have considered the rival submissions and perused the material on record.

8. The specific allegation against the petitioner is that he gained access to the complainant's bedroom, took the locker key, opened the locker, and committed theft of the gold ornaments belonging to the complainant's wife. The complaint states that the complainant suspects the petitioner's involvement. The petitioner disputes the very occurrence of theft and contends that he has been implicated merely on suspicion. It is also not in dispute that the report was lodged approximately four months after the alleged occurrence.

9. Whether the petitioner had trespassed into the bedroom, had access to the locker and its key, and committed theft of the missing gold ornaments are matters for investigation. At the stage of considering anticipatory bail, this Court is not required to undertake a meticulous appreciation of the evidence or adjudicate upon the truthfulness of the rival versions.

10. The jurisdiction under Section 482 of the BNSS is discretionary and has to be exercised having regard to the facts and circumstances of each case. As held in *Gurbaksh Singh Sibbia v. State of Punjab*, (1980) 2 SCC 565, no inflexible formula can be prescribed for exercise of such discretion. Further, while considering the prayer for anticipatory bail, the Court must balance the petitioner's right to personal liberty with the legitimate requirements of investigation, having regard, inter alia, to the nature and

gravity of the accusation, the role attributed to the accused, the possibility of interference with the investigation or fleeing from justice, and the necessity for custodial interrogation.

11. In the present case, having regard to the nature of the allegations, the fact that the petitioner's involvement is presently based principally on the complainant's suspicion, the unexplained delay of approximately four months in lodging the report, and the petitioner's willingness to cooperate with the investigation and in the absence of specific and convincing material showing the necessity of custodial interrogation this Court is of the considered view that the interests of investigation can be adequately safeguarded by imposing appropriate conditions.

12. Accordingly, the Criminal Petition is allowed, subject to following conditions.

(A) The petitioner/accused shall surrender before the Station House Officer, Achampet Police Station, Nagarkurnool, on or before 16.10.2026. Upon such surrender or in the event of arrest the Station House Officer shall release him on bail on execution of a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties for a like sum each, to the satisfaction of the said officer.

(B) The petitioner shall appear before the Investigating officer on every Tuesday and Saturday between 10.00AM to 03.00PM, for a period of twelve (12) weeks from the date of his release on bail or until the filing of the final result, whichever is earlier.

(C) The petitioner shall remain available for investigation as and when required by the Investigating Officer and shall cooperate fully with the investigation.

(D) The petitioner shall furnish his complete residential address and contact details to the Investigating Officer and shall keep the same updated throughout the course of investigation.

(E) The petitioner shall not either directly or indirectly induce, threaten, influence, or contact any prosecution witness, nor shall he tamper with the prosecution evidence in any manner whatsoever.

(F) The petitioner shall strictly comply with all the conditions contemplated under Section 482(2) of the BNSS.

(G) Any wilful breach or violation of any of the aforesaid conditions shall render the petitioner liable to appropriate proceedings before the court below, including cancellation of bail, in accordance with the provisions of the BNSS and other applicable law.

13. It is made clear that any observations made herein are confined solely to the adjudication of the present application for anticipatory bail and shall not be construed as an expression on the merits of the case. Miscellaneous applications, if any pending, shall stand closed.

N.TUKARAMJI, J

Date: 01.10.2026
CHS

THE HONOURABLE SRI JUSTICE N.TUKARAMJI

CRIMINAL PETITION No.15740 OF 2026

DATE: 01.10.2026

CHS