IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HON'BLE JUSTICE B.R.MADHUSUDHAN RAO

CRIMINAL PETITION No.16652 of 2026

(CNR.No. HBHC010691632026)

DATE: 26.10.2026

BETWEEN:

Aithagoni Laxmaiah

.....Petitioner-A2

And

The State of Telangana,
Rep. by its Public Prosecutor,
High Court at Hyderabad. ..Respondent-Complainant

ORDER

1. This Criminal Petition is filed under Sections 480 & 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') praying this Court to enlarge the petitioner on bail who is arrayed as accused No.2 connection with FIR No.188 of 2026 of V.M. Banjara Police Station, Khammam District. The offences alleged against the petitioner-A2 are punishable under Sections 111, 61(1), 318(4), 329(3), 303(2) r/w 3(5) of BNS and Section 21(1) of MMDR Act.

2. Heard Ms. A. Navya Sri, learned counsel for the petitioner and Sri D. Arun Kumar, learned Additional Public Prosecutor appearing for the respondent–State.

3. Learned counsel for the petitioner submits that the sand was allegedly loaded in Andhra Pradesh, no sale had

taken place. The lorry and the sand are already seized by the police under the cover of panchanama and also recorded the statements of the witnesses who are police personnel. Petitioner-A2 is the only bread winner of his family, he has aged ailing parents, wife is suffering with unsound mind and he has a daughter aged about 16 years who is studying and a son aged about 23 years who is working as coolie. Petitioner-A2 undertakes to furnish sureties that may be ordered by the Court. Petitioner-A2 is arrested and remanded to judicial custody on 04.10.2026 and A1 has obtained anticipatory bail from this Court on 15.10.2026, entire investigation is completed and prayed to enlarge the petitioner-A2 on bail.

4. Learned Additional Public Prosecutor submits that the role played by the petitioner-A2 is depicted in the remand case diary.

5. P. Srinivasa Rao has lodged a complaint before P.S. V.M. Banjara on 03.10.2026. Complainant along with his staff has conducted the vehicle check near Seetharampuram, Muthagudem Village, Penuballi Mandal and intercepted lorry bearing No.TG-07-U-9779 on the same day and apprehended the vehicle and the persons there. Basing on the said complaint, FIR came to be registered under different sections of BNS and MMDARA.

6. Petitioner-A2 is arrested and remanded to judicial custody on 04.10.2026. In the remand case diary of the

petitioner-A2, A1-M. Saidulu and A3-G. Karibendi are shown as absconding.

7. Learned counsel for the petitioner submits that A1-M. Saidulu has filed Crl.P.No.16651 of 2026 for grant of anticipatory bail before this Court, which came to be allowed on 15.10.2026. In the remand report it is stated that custodial interrogation of the petitioner-A2 is necessary.

8. Learned Additional Public Prosecutor on instructions submits that no custody application is filed before the concerned Court for custody of the petitioner-A2.

9. Respondent has examined altogether 7 witnesses in support of the prosecution case. Furthermore who is the prime accused has obtained anticipatory bail from this Court on 15.10.2026. It appears from the record that major portion of the investigation is completed, detaining the petitioner-A2 further in judicial custody will not serve the purpose. Hence, petitioner-A2 is entitled to be enlarged on bail, subject to the following conditions:

i. The petitioner-A2 shall execute a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only), with two sureties for a like sum each to the satisfaction of the learned Additional Judicial First Class Magistrate, at Sathupally.

ii. The petitioner-A2 shall appear before the concerned SHO between 10 a.m. to 5 p.m., on every Sunday for a period of eight (8) weeks or till filing of charge sheet whichever is earlier, for the purpose of investigation, and thereafter, as and when required.

iii. The petitioner-A2 shall abide by the conditions stipulated in Section 437(3) of Cr.P.C.(presently, Section 480(3) of the BNSS).

iv. The petitioner-A2 shall not directly or indirectly influence, threaten, or induce any of the prosecution witnesses.

v. The petitioner-A2 shall not involve in similar offences.

vi. It is made clear that if any of the conditions imposed by this Court are violated, the prosecution is at liberty to file an application for cancellation of the bail.

10. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

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B.R.MADHUSUDHAN RAO, J

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