IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HON'BLE JUSTICE B.R.MADHUSUDHAN RAO

CRIMINAL PETITION No.17039 of 2026

(CNR.No. HBHC010713732026)

DATE: 26.10.2026

BETWEEN:

Prasanna babu Baipalli

.....Petitioner-A1

And

1.The State of Telangana,

..Respondent No.1-State

2.Banoth Sharmila ...Respondent No.2-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.1 in connection with FIR No.135 of 2026 of Kothagudem 2 Town Police Station, Bhadradri Kothagudem District. The offences alleged against the petitioner-A1 are punishable under Sections 316, 351(2) of BNS, Sections 3(1)(r)(s), 3(2)(va) of SC/ST (POA) Act, 1989.

2. Heard Sri Ramulu Pasupula, learned counsel for the petitioner and Sri D. Arun Kumar, learned Additional Public Prosecutor appearing for the respondent No.1–State.

3. Learned counsel for the petitioner submits that the entire case is based on the alleged confessional statements

which are subject to proof and cannot be relied upon at this stage, there is no direct cogent evidence connecting the petitioner-A1. Petitioner-A1 is innocent and he has not committed any offence, all the offences mentioned in the remand case diary are punishable below seven years. A2 to A4 were served with Section 35(3) BNSS notice. Entire investigation is completed and prayed to enlarge the petitioner-A1 on bail.

4. Notice got issued to the de-facto complainant is served, proof is filed to that effect.

5. Learned Additional Public Prosecutor submits that the role played by the petitioner-A1 is clearly depicted in the remand case diary.

6. B. Sharmila has lodged a complaint before P.S. Kothagudem 2 Town on 01.09.2026 and stated that accused asked her husband to give money has hand loan, then her husband has no money and he gave gold ornaments of the complainant and the accused has mortgaged the same, after sometime the same were retuned. Complainant and her family members went to the relative house by locking the house, when they returned back their gold ornaments were stolen. Basing on the said complaint, FIR came to be registered on the same day under different sections of BNS, SC/ST (POA) Act.

7. Petitioner-A1 is arrested and remanded to judicial custody on 10.09.2026, since then he is in jail. Police has examined altogether 17 witnesses.

8. A2 to A4 have filed W.P.No.32319 of 2026 of their arrest without following the procedure by the police. This Court vide order dated 24.09.2026 disposed of the writ petition with a direction that notice under Section 35(3) of BNSS be given to the above said accused by the police.

9. Learned Additional Public Prosecutor on instruction submits that no application is filed by the police for grant of police custody of the petitioner-A1.

10. Since the investigation is at the fag end, detaining the petitioner-A1 further in judicial custody will not serve the propose. Hence, petitioner-A1 is entitled to be enlarged on bail, subject to the following conditions:

i. The petitioner-A1 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 III Additional Judicial First Class Magistrate, at Kothagudem.

ii. The petitioner-A1 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-A1 shall abide by the conditions stipulated in Section 437(3) of Cr.P.C.(presently, Section 480(3) of the BNSS).

iv. The petitioner-A1 shall not directly or indirectly influence, threaten, or induce any of the prosecution witnesses.

v. 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.

11. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

B.R.MADHUSUDHAN RAO, J

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