IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HON'BLE JUSTICE B.R.MADHUSUDHAN RAO

CRIMINAL PETITION No.17315 of 2026

(CNR.No. HBHC010726212026)

DATE: 02.11.2026

Between:

Mohammed Shareef

.....Petitioner-Accused No.1

And

The State of Telangana,
Rep. by its Public Prosecutor,
High Court at Hyderabad,
Through PS Mothey,
Suryapet District. ..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.1 in connection with FIR No.170 of 2026 of Mothey Police Station, Suryapet District. The offences alleged against the petitioner-A1 are punishable under Sections 103(1), 238, 303(2) r/w 3(5) of BNS Act and Sections 3(2)(v) of SC/ST POA Act, 1989.

2. Heard Sri J. Kanakaih, learned senior counsel for Sri Narendar Jalli, 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 police have enquired into the issues thereby came to a conclusion that the petitioners-A1 and A2 were involved in the murder of Halavath Bhooba W/o. Nagulu and Halavath Nagulu S/o. Balu in connection with the loan advanced by the A2 through A1. Police has arrested petitioner-A1 along with A2 on 14.08.2026 and were produced before the concerned Magistrate for remand. Police has recorded the confession statement of the petitioner-A1. Petitioner-A1 is a police constable and he has not committed any such offence as alleged by the prosecution. The confession statement does not have any evidentiary value to establish the guilt of the petitioner-A1. Petitioner-A1 is a reputed person and is not involved in any offence. Police has voluntarily implicated him in the case. 60 days in judicial custody is already completed, investigation is at the fag end and prayed to enlarge the petitioner-A1 on bail.

4. Notice got issued to LW.8 is served, proof is filed to that effect.

5. Sub-Divisional Police Officer has filed counter and stated the role played by the petitioner-A1 and A2 in the manner in which the offence has taken place, it is further stated in para No.7 of the counter that investigation is completed except obtaining FSL report, after receipt of the same, he will file charge sheet.

6. M. Saidulu has lodged a report before P.S. Mothey on 12.08.2026. It is stated in the complaint that he is working as a G.P.O to Mothey village since since 10 months. At about 14:00 hours on the above said date he received a phone call from Sri M. Venkanna Tahsildar, Mothey mandal and instructed him to immediately go to the fields of Kamma Srinivas in Sy.No.293 located at the outskirts of Mothey village near flyover bridge and there two dead bodies were buried on soil, in pursuance of the same FIR came to be registered under Section 103, 238 of BNS against unknown offenders.

7. Peitioner-A1 and A2-J. Sundar were arrested and remanded to judicial custody on 14.08.2026, since then they are in jail. Remand case diary goes to show that respondent has altogether examined 24 witnesses in support of the case.

8. Petitioner-A1 has filed Crl.M.P.No.705 of 2026 for grant of regular bail before the learned Sessions Court, the same came to be dismissed on 07.10.2026 observing that investigation is pending.

9. Counter filed by the respondent goes to show that investigation is completed except obtaining FSL report, after receipt of the same IO will file charge sheet.

10. Since investigation is completed, detaining the petitioner-A1 further in judicial custody will not serve the purpose. 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.25,000/- (Rupees Twenty Five Thousand only), with two sureties for a like sum each to the satisfaction of the learned Judicial First Class Magistrate, at Suryapet.

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

iii. The petitioner-A1 shall not directly or indirectly influence, threaten, or induce any of the prosecution witnesses and shall not contact the victim.

iv. 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.

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B.R.MADHUSUDHAN RAO, J

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