

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.4166 OF 2026

DATE : 13.04.2026

Between:

P. Varalaxmi

....Petitioner/A.2

AND

The State of Telangana,
Rep., by Public Prosecutor,
High Court for the State of Telangana & another

..... Respondents/
Complainants

: ORDER :

This Criminal Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking the Court to grant anticipatory bail to the petitioner in the event of her arrest in connection with FIR No.666 of 2025 of Jubilee Hills Police Station, Hyderabad. The offences alleged against the petitioner are under Sections 329(4), 324(2), 336(3) r/w.3(5) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS').

2. The brief facts of the case are that on 30.10.2025 at about 7:00 PM, the complainant, Mr. Ashish Kumar Ahuja, lodged a complaint stating that his father purchased the subject property bearing H.No.8-2-293/82/A/321-A/24, situated at Jubilee Hills, Road No.25, Hyderabad, through a registered Sale Deed dated 20.07.2009 and has been in possession thereof since then. The property was kept vacant for proposed sale and maintained through caretakers. On 27.10.2025, the caretaker informed the complainant that certain unknown persons had broken open the lock, trespassed into the property, and prevented entry. When the complainant visited the premises, the said persons claimed that the property now belonged to Mrs. P.Varalaxmi and threatened him not to visit again. It was further found that movable articles from the house had been removed, and upon verification, the complainant discovered that Mrs. P. Sreedevi had allegedly executed a Gift Deed dated 10.10.2025 in favour of her mother, Mrs. P. Varalaxmi, despite having earlier sold the property to the complainant's father in 2009. Alleging that the accused persons, in collusion with registration authorities, created fraudulent documents and illegally trespassed into the property, the complainant reported commission of offences relating to forgery, cheating, trespass,

theft, criminal intimidation, and mischief. Hence requested the police for taking necessary action against the accused, basing on which the present case is registered against the accused for the above offences.

3. Heard Sri Ravikanth Shinde, learned counsel appearing for the petitioner, Sri M.Ramachandra Reddy, learned Additional Public Prosecutor appearing for the respondent – State and Sri Md.Nazeeruddin Khan, learned counsel appearing for respondent No.2.

4. The contention of learned counsel for the petitioner is that petitioner is aged about 80 years and there are no such allegations against the petitioner to constitute the offence under Section 338 of BNS. Even according to the prosecution A.1 forged the document and executed gift deed in favour of the petitioner, therefore none of the allegations constitute offence under Section 338 of BNS against the petitioner. He further contended that multiple crimes are registered against the defacto complainant and his father. Further petitioner is ready to cooperate with the investigation, as such, prayed this Court to grant anticipatory bail to the petitioner.

5. On the other hand learned counsel for respondent No.2 opposed bail contending that the allegations against the petitioner are serious in nature. Though she is an old aged woman, she is the main culprit in this case. She conspired with other accused and provoked them to commit offence and due to her provocation, the other accused beat the defacto complainant. In support of his contention he relied on the judgment of High Court of Punjab and Haryana in **Piara Singh V State of Punjab**¹, wherein the Court dismissed the petition even the accused therein was 95 years old. He also relied on the judgment of Hon'ble Supreme Court in **Pratibha Manchanda and another V State of Haryana and another**² and contended that the offence committed by the petitioner is grave in nature, as such, petitioner is not entitled to bail and prayed to dismiss this petition.

6. The learned Additional Public Prosecutor also opposed bail contending that the petitioner herein is instrumental in commission of crime, as such, she is not entitled to bail and prayed to dismiss this petition.

¹ CRM-M-25799-2020(O&M)

² (2023) 8 Supreme Court Cases 181

7. Considering the submissions made and the material placed on record, the allegations against the petitioner are that A.1 executed a gifted deed on 10.10.2025 and transferred the property, in the name of petitioner herein even though the same was already sold by A.1 to the defacto complainant. Considering these allegations as the forgery and cheating are prima-facie against A.1 and that A.1 was already arrested and released on bail, this Court deems it fit to grant anticipatory bail to the petitioner subject to the following conditions :

- i. The petitioner shall surrender before the Station House Officer, Jubilee Hills Police Station, Hyderabad within two weeks from today, and on such surrender, the said Station House Officer shall release the petitioner on bail on her executing a personal bond for Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties, for the like sum each.
- ii. The petitioner shall appear before the concerned SHO between 09.00 a.m and 05.00 p.m., on every Monday for a period of eight (8) weeks, for the purpose of investigation or till filing of charge sheet whichever is earlier and thereafter, as and when required.
- iii. The petitioner shall abide by the other conditions stipulated in Section 482(2) of BNSS and co-operate with the Investigating Officer in investigating the case.

8. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

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Rds

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