IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HONOURABLE SRI JUSTICE N.TUKARAMJI

CRIMINAL PETITION No. 8348 OF 2026

DATE: 22.06.2026

Between :

Nimmagadda Satya Prakash

… Petitioner/Accused No.1

AND

The State of Telangana Through PS EOW Cyberabad Through its Public Prosecutor High Court of Judicature at Hyderabad, and another.

… Respondents.

ORDER

This Criminal Petition is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, "BNSS"), seeking the relief of pre-arrest bail.

2. The petitioner is arrayed as Accused No. 1 in F.I.R. No. 52 of 2026 registered by Police Station EOW, Cyberabad, for the offences punishable under Sections 420, 406, 467, 468, 471 read with Section 120-B of the Indian Penal Code, 1860 (IPC).

3. Heard learned counsel for the petitioner, learned Assistant Public Prosecutor, appearing for respondent No.1-State and learned counsel for respondent No.2-de facto complainant.

4. Briefly stated, the relevant facts are that the petitioner was working as the Chief Executive Officer of JSS Ventures and was entrusted with coordinating land acquisitions in Sangareddy. According to the petitioner, the company was facing substantial liabilities towards landowners and other persons, and in order to avoid disputes and protests, he arranged funds from his personal sources and paid an amount of nearly Rs.2 crores on behalf of the complainant-company. It is his case that certain lands were temporarily registered in the names of persons associated with mediators and landowners, and that such arrangements were subsequently recognized under a Memorandum of Understanding dated 15.05.2024. It is further asserted that the petitioner ceased to be associated with JSS Ventures with effect from 31.03.2024 and had no role in its affairs thereafter.

5. The de facto complainant, however, alleged that the petitioner, in conspiracy with accused Nos.2 to 4, misappropriated funds entrusted for land purchases, fabricated sale agreements and receipts, forged documents, and unlawfully caused company lands to be registered in the names of third parties, thereby causing wrongful loss of about Rs.5.52 crores to the company. Based on these allegations, the subject crime was registered.

6.1. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present crime owing to subsequent disputes that arose between JSS Ventures and certain mediators, and that the criminal proceedings have been initiated only with a view to exert pressure in what is essentially a commercial dispute. It is contended that the ingredients of the offence punishable under Section 420 IPC are not attracted, as there is no allegation that the petitioner had any dishonest intention at the inception of the transactions or induced any person to part with money or property, especially when the transactions were admittedly carried out openly through agreements and registered documents.

6.2. It is further argued that the allegations do not disclose any entrustment of property to the petitioner or any dishonest misappropriation thereof, and that the allegations relating to cash payments are vague and unsupported by any material. It is also contended that the complaint does not identify any particular forged document or attribute any specific role to the petitioner in its creation or use. Therefore, according to the petitioner, the essential ingredients of criminal breach of trust, misappropriation, and forgery are conspicuously absent.

6.3. Learned counsel submits that the dispute pertains to land transactions, settlement of accounts, and monetary claims arising out of business dealings, which are predominantly civil in nature but have been given a criminal colour. It is further contended that the Memorandum of Understanding dated 15.05.2024 itself acknowledges that an amount of

Rs.1.13 crores was payable to the petitioner, which, according to him, negates the allegation of wrongful gain or misappropriation.

6.4. Learned counsel also points out that the transactions in question pertain to the years 2023-2024, whereas the FIR came to be registered only in May, 2026, and that the unexplained delay indicates that the allegations are an afterthought. It is further submitted that, except for making omnibus allegations, the complaint does not disclose any specific agreement or meeting of minds among the accused so as to constitute the offence of criminal conspiracy.

6.5. It is further contended that custodial interrogation of the petitioner is not warranted, as the case substantially rests on documentary evidence, which is already in the possession of the investigating agency. Lastly, it is submitted that the petitioner is ready and willing to cooperate with the investigation and undertakes to appear before the Investigating Officer as and when required. Placing reliance upon the settled principle that "bail is the rule and jail is the exception", learned counsel prayed that the petitioner be enlarged on anticipatory bail.

7.1. Learned counsel appearing for respondent No.2/de facto complainant submits that the averments in the complaint disclose that the petitioner was the Chief Executive Officer of the company during the relevant period and that accused Nos.2 to 4 were engaged as brokers/agents for procurement of land at Sangareddy on behalf of JSS Ventures.

7.2. It is further submitted that the accused representing that they had already invested about Rs.10 crores towards the proposed land acquisitions, produced agreements of sale and payment receipts, and induced investment approximately Rs.25 crores, which was subsequently treated as an investment in the company. According to the complainant, substantial amounts were entrusted to the accused for making payments to landowners. However, only partial payments were allegedly made, and the balance amounts were dishonestly misappropriated.

7.3. It is further alleged that, in order to conceal such misappropriation, the accused fabricated agreements of sale, forged payment receipts, and created false records showing full payments to landowners without any proof of actual disbursement. Further, the accused No.1 caused lands to be registered in the names of accused Nos.2 to 4 without authorization and that, although certain extents were subsequently reconveyed pursuant to the Memorandum of Understanding, an extent of Ac.0-19 guntas still continues to stand in the names of the accused.

7.4. It is thus contended that the accused, pursuant to a pre-planned criminal conspiracy, cheated the company and its investors by forging documents, misappropriating entrusted funds, and unlawfully acquiring lands, thereby causing wrongful loss to the company and corresponding wrongful gain to themselves. It is submitted that the matter requires a detailed investigation and that grant of anticipatory bail at this stage may hamper the investigation and impede effective collection of evidence. Hence, dismissal of the petition is sought.

8. Learned Assistant Public Prosecutor supported the submissions advanced on behalf of the de facto complainant and opposed the bail application. It is contended that the allegations disclose a financial fraud, that the investigation is at a nascent stage, and granting anticipatory bail may prejudice the investigation. Accordingly, dismissal of the petition is prayed for.

9. I have carefully considered the rival submissions and perused the material available on record.

10. The essence of the allegations against the petitioner is that, while functioning as the Chief Executive Officer of the company, he, in collusion with the other accused, misappropriated funds entrusted for land acquisitions, fabricated agreements and receipts, and caused certain lands to be registered in the names of mediators and third parties, thereby causing wrongful loss to the company.

11. At the same time, it is the specific case of the petitioner that he ceased to be associated with the company with effect from 31.03.2024; that he had expended substantial amounts from his personal resources for the benefit of the company; that the Memorandum of Understanding dated 15.05.2024 acknowledges amounts payable to him; and that the disputes essentially emanate from business transactions and subsequent settlements between the parties.

12. In this position, whether the allegations relating to fabrication, forgery, misappropriation, and unauthorized retention of lands are ultimately established is a matter to be determined during the course of investigation and trial.

13. It is a settled principle that, while considering an application under Section 438 Cr.P.C. or Section 482 of the BNSS, the Court is not expected to undertake a meticulous examination of the evidence or record findings on the merits of the accusations. The power under Section 438 Cr.P.C. is intended to safeguard individual liberty against arbitrary arrest and is required to be exercised having due regard to the nature and gravity of the accusations, the antecedents of the applicant, the possibility of fleeing from justice, the likelihood of tampering with evidence, and the necessity for custodial interrogation.

14. In the instant case, the accusations predominantly arise out of land acquisition transactions undertaken in the course of business dealings. The prosecution case substantially rests upon documentary evidence, such as agreements of sale, receipts, bank transactions, the Memorandum of Understanding, registered conveyances, and revenue records, all of which are capable of being collected, scrutinized, and verified by the investigating agency. The petitioner has expressed his willingness to cooperate with the investigation, and there is no material presently placed before this Court to indicate that he is likely to abscond, influence witnesses, or tamper with documentary evidence.

15. At the same time, having regard to the recitals contained in the Memorandum of Understanding, the undertaking of the firm/company to pay certain amounts to the petitioner, and the admitted part compliance thereof, and in the absence of any specific material demonstrating that custodial interrogation of the petitioner is indispensable for an effective investigation, this Court is of the considered opinion that the petitioner's prayer for grant of anticipatory bail merits favourable consideration, subject to such conditions to secure his availability for investigation and to safeguard the interests of the prosecution.

16. Accordingly, the Criminal Petition is allowed. The petitioner/Accused No.1 shall be enlarged on anticipatory bail, subject to the following conditions:

(A) The petitioner shall surrender before the Station House Officer, EOW Police Station, Cyberabad, on or before 04.07.2026. Upon such surrender, or in the event of his arrest, the Station House Officer shall release the petitioner on bail upon his executing a personal bond for a sum of Rs.1,00,000/- (Rupees One Lakh 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 Saturday for a period of twelve (12) weeks from the date of his release on bail and shall cooperate with the investigation in all respects.

(C) The petitioner shall not leave India without obtaining prior permission from the jurisdictional Court concerned.

(D) The petitioner shall remain available as and when required during the course of investigation and shall extend full cooperation to the Investigating Officer.

(E) The petitioner shall furnish his complete residential address, mobile number, and other contact particulars to the Investigating Officer and shall promptly intimate any change therein.

(F) The petitioner shall not, directly or indirectly, induce, threaten, influence, or make any promise to any person acquainted with the facts of the case, nor shall he tamper with the prosecution evidence in any manner whatsoever.

Pending miscellaneous applications, if any, shall stand closed.

N.TUKARAMJI, J

Date: 22.06.2026
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