

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.10545 OF 2026

DATE : 15.07.2026

Between :

Kommuru Guruprasad ... Petitioner/Accused

And

The State of Telangana,
Rep., by its Public Prosecutor,
High Court of Telangana, Hyderabad

... Respondent/Complainant

: ORDER :

This Criminal Petition is filed under Section 480 & 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 by the petitioner praying this Court to enlarge him on bail who is arrayed as accused in C.C.No.7 of 2022 on the file of Sessions Court, Nampally, Hyderabad in Crime No.43 of 2021 of CCS, DD, Hyderabad. The offences alleged against the petitioner are under Sections 406 and 420 of Indian Penal Code and Sections 4, 5 and 6 of the Prize Chits and Money Circulation Schemes (Banning) Act and under Section 5 of Telangana Protection of

Depositors and Financial Establishments Act, 1999 (TSPDFEA Act).

2. The brief facts of the case are that, on 12.03.2021, the de facto complainant lodged a complaint stating that the accused, K. Guru Prasad, introduced himself as the Assistant Project Director of Magadarshi Poorest of the Poor Development Society and induced the complainant and several others to invest money by promising loans and double returns on their investments. Believing his representations, the complainant and other investors transferred substantial amounts through bank transactions and Google Pay, for which the accused issued cheques. However, when the cheques were presented, they were dishonoured. Subsequently, the office of the society was found locked, the accused became untraceable, and it was alleged that he had collected about Rs.2.50 crores from several persons under the guise of the investment scheme and cheated them. Basing on the said complaint, the police registered the present crime and took up investigation.

3. Heard Sri Srinivas Bobbili, learned counsel appearing for the petitioner and Sri D.Arun Kumar, learned counsel appearing for the respondent.

4. The contention of the learned counsel for the petitioner is that the petitioner was arrested on 05.12.2021 and was subsequently released on regular bail, but owing to serious lung and kidney ailments, he could not attend the trial Court regularly and exemption petitions were filed on his behalf. It is contended that due to the failure of his earlier counsel to represent him effectively, the petitioner remained unaware of issuance of a Non-Bailable Warrant on 14.06.2024, and his absence was neither wilful nor deliberate. Learned counsel submits that the petitioner was subsequently arrested on 12.11.2025 in Crime No.359 of 2025 of Naidupeta Police Station, Andhra Pradesh, and while in judicial custody, he was produced before the Sessions Court, Hyderabad, on a Prisoner Transit Warrant. Though his earlier bail application in CrI.P. No.4107 of 2026 was dismissed by this Court on 02.04.2026, it was later discovered that the learned Principal District Judge-cum-Special Judge, Nellore, had already granted him regular bail in the Naidupeta case by order dated 30.12.2025, which could not be brought to the notice of this Court due to a bona fide and inadvertent omission, as the certified copy of the bail order was received subsequently. It is submitted that the non-production of the said bail order constitutes a material change

in circumstances warranting fresh consideration of the present bail application. Learned counsel further submits that the investigation in the present case has been completed, the charge sheet has already been filed, the prosecution case is based mainly on documentary evidence already in the custody of the investigating agency, and therefore no further custodial interrogation of the petitioner is required. It is also contended that the petitioner has been in custody since 12.11.2025, undertakes to cooperate with the trial, not to influence witnesses or tamper with the evidence, and to abide by any conditions imposed by this Court. Hence, prayed this Court to grant regular bail to the petitioner by allowing this criminal petition.

5. On the other hand, the learned Additional Public Prosecutor opposed the bail application contending that, after completion of the investigation, the charge sheet was filed and, during the pendency of the trial, the petitioner failed to appear before the trial Court, resulting in issuance of a Non-Bailable Warrant on 14.06.2024. He further contended that petitioner was subsequently involved in another case registered by Naidupeta Police Station, Tirupati District, and was remanded to judicial custody by the learned Principal District and

Sessions Judge, Nellore. Thereafter, he was produced before the trial Court on 24.12.2025 pursuant to a Prisoner Transit Warrant. The learned Additional Public Prosecutor further contended that the petitioner has no permanent residence, as he had vacated the address furnished by him, and when the police attempted to execute the Non-Bailable Warrant, his mother informed them that he had left her residence long ago and had not even attended his father's funeral. Therefore, it is contended that, if released on bail, the petitioner is likely to abscond, making it difficult to secure his presence during trial. As such, petitioner is not entitled to bail and prayed to dismiss this petition.

6. Having regard to the submissions made and perusal of the material available on record, it is not in dispute that the investigation has been completed and the charge sheet has already been filed. The prosecution case is predominantly based on documentary evidence, which is already in the custody of the investigating agency, further custodial detention of the petitioner is not required for the purpose of investigation. Admittedly petitioner failed to appear before the trial Court, resulting in the issuance of a Non-Bailable Warrant. However, the explanation offered by the petitioner that his absence was

due to health issues and the failure of his earlier counsel to properly represent him cannot be rejected outright at this stage. It is also brought to the notice of this Court that the petitioner has already been granted regular bail by the competent Court in Crime No.359 of 2025 of Naidupeta Police Station. Further, the apprehension of the prosecution that the petitioner may abscond can be adequately addressed by imposing stringent conditions. Since the investigation is complete, the petitioner has been in custody for a considerable period, and the trial is likely to take time for its conclusion, this Court deems it fit to grant bail to the petitioner subject to the following conditions :

- i. The petitioner 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 Sessions Judge, Hyderabad.
- ii. The petitioner shall appear before the trial Court on each and every date of hearing without fail until the conclusion of trial.
- iii. The petitioner shall not file any application seeking dispensation of his personal appearance before the trial Court on any date of hearing.
- iv. The petitioner shall not leave the State without prior permission of the trial Court, shall furnish his present residential address and mobile number to the Investigating

Officer and the trial Court and shall intimate any change thereof forthwith.

- v. The petitioner shall cooperate with the trial proceedings and shall not, directly or indirectly, influence or threaten the witnesses or tamper with the prosecution evidence.
- vi. In the event of violation of any of the above conditions, the prosecution is at liberty to seek cancellation of bail in accordance with law.

7. Accordingly, the Criminal Petition is allowed.

Miscellaneous petitions, if any, pending shall stand closed.

K. SUJANA, J

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Rds

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