

**03IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**THURSDAY, THE SECOND DAY OF APRIL
TWO THOUSAND AND TWENTY SIX**

PRESENT

**THE HONOURABLE SRI JUSTICE K.LAKSHMAN
AND
THE HONOURABLE JUSTICE B.R.MADHUSUDHAN RAO**

CRIMINAL APPEAL NO: 341 OF 2026

Appeal filed under Section 21 of National Investigation Agency Act R/W Section 528 of BNSS against the judgment and sentence dated 01.04.2026 passed in CrI.M.P. No. 514 of 2026 in RC.04/2025/NIA/HYD on the file of the Court of the IV Addl. Sessions Court Cum Special Court for NIA Cases at Nampally.

Between:

Gade Innaiah @ Gade Inna Reddy, S/o Salomon Reddy, Aged about 64 years, Occ. Social Activist, R/o H. No. 3-71/B, Regadi Thanda Village, Zaffergadh Mandal Jangaon District, Telangana.
...**Appellant/Petitioner/Accused No. 1**

AND

The State of Telangana, Represented by Deputy Superintendent of Police, National Investigation Agency, Hyderabad Ministry of Home Affairs
...**Respondent/Respondent/Complainant**

I.A. NO: 1 OF 2026

Petition under Section 21 of NIA Act r/w Section 528 of BNSS praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay the execution of the Impugned Police Custody order dated 01/04/2026 in CrI.M.P. No. 514 of 2026 in RC-4/2025/NIA/HYD passed by the Court of IV Addl. Sessions Court Cum Special Court for NIA Cases at Nampally.

**Counsel for the Appellant : Sri V. Pattabhi senior Counsel representing
Sri. Kamatam Rajitha, Advocate**

**Counsel for the Respondent : Sri Vishnuvardhan Reddy
Special Public Prosecutor for NIA**

The Court delivered the following:

**THE HIGH COURT FOR THE STATE OF TELANGANA AT
HYDERABAD**

**THE HON'BLE SRI JUSTICE K.LAKSHIMAN
AND
THE HON'BLE JUSTICE B.R.MADHUSUDHAN RAO**

CRIMINAL APPEAL NO.341 OF 2026

DATED: 02.04.2026

Gade Innaiah ... Appellant – Petitioner – Accused No.1

Vs.

The State represented by
Deputy Superintendent of Police,
National Investigation Agency, Hyderabad,
Ministry of Home Affairs. ... Respondent – Respondent – Complainant

This Court passed the following:-

JUDGMENT

(per the Hon'ble Sri Justice K.LAKSHIMAN)

1. Heard Sri V.Pattabhi, learned Senior Counsel representing Ms.Kamatam Rajitha, learned counsel for the appellant and Sri Vishnuvardhan Reddy, learned Special Public Prosecutor for NIA, appearing for the respondent.

2. This appeal is preferred challenging the order dated 01.04.2026 in Crl.M.P.No.514 of 2026 in RC.NO.04/2025/NIA/HYD of P.S. National

Investigation Agency, Hyderabad, passed by the learned IV Additional Sessions Judge, Hyderabad.

3. Appellant is accused No.1 in the aforesaid crime.
4. The Investigating Officer has arrested the appellant on 21.12.2025.
5. The Investigating Officer has filed an application *vide* Crl.M.P.No.1 of 2026 in the said crime seeking police custody of the appellant. The same was allowed on 16.01.2026 by the learned Designated Court granting police custody of the appellant for a period of five days i.e., 19.01.2026 at 10.00 a.m., to 23.01.2026 till 04.30 p.m. Learned Designated Court also imposed certain conditions.
6. However, the said police custody was cut short prematurely and they have produced before the Court on 21.01.2026 itself.
7. Thereafter, the appellant has filed an application seeking bail on 22.02.2026. The same was posted for orders on 09.03.2026 and from 09.03.2026 to 13.03.2026.
8. In the meanwhile, the Investigating Officer has filed another application *vide* Crl.M.P.No.514 of 2026 in the said crime seeking custody of the appellant on the ground that the subsequent to the

premature completion of the earlier police custody, several witnesses were examined, several financial transactions of the appellant were scrutinized. Several facts have come up regarding which the accused needs to be confronted. Several suspicion transactions have been identified for which only the appellant can offer explanation. The data extracted from the electric devices seized in the case has been provided by CFSL on 20.02.2026. Voluminous data has been thoroughly analyzed and several incriminating documents, chats etc were found, which again needs to be confronted with the accused, as such the appellant is the only person who can offer explanation to the contents found therein. It is further contended that the said information cannot be ascertained/extracted unless the appellant is interrogated one to one in police custody of NIA.

9. Appellant filed counter in the said application contending that though he was produced before the Court on 21.01.2026, the bail application filed by him was posted for orders to 09.03.2026 and it was adjourned to 13.03.2026. The Investigating Officer filed the present application only on 12.03.2026 to defeat his right of bail. The Investigating Officer has not mentioned satisfactory reasons seeking

police custody second time. There is delay of 60 days in filing second application.

10. *Vide* impugned order learned Designated Court allowed the said application holding that the Investigating Officer has specifically stated the satisfactory reasons while seeking police custody second time and provided a reasonable explanation regarding the need to confront the appellant with newly analyzed incriminating electronic evidence and suspicious financial transactions are sufficient to grant custody to the NIA.

11. Challenging the said order, the appellant preferred the present appeal.

12. Sri V.Pattabhi, learned Senior Counsel would contend that the learned Designated Court did not consider the aforesaid contentions raised by the appellant herein. He has also placed reliance on the Principle laid down by this Court in the case of *Nossam Mohammed Yunus Vs. The State of Telangana*¹. In the aforesaid order, this Court considered the contention of the appellant therein that in the second application filed by NIA seeking police custody, they have specifically mentioned that the Investigating Officer in the subject crime has

¹ Crl.A.No.829 of 2023, dated 29.02.2024

thoroughly interrogated the appellant therein during police custody, appellant was silent. Considering the said facts and also the right of the appellant to remain silent as per Article 20 (3) of Constitution of India, we have allowed the said Appeal, set aside the order dated 29.09.2023 through which learned Designated Court granted police custody second time.

13. But, the facts in the present case are slightly different. In the application filed by the Investigating Officer, NIA, there is specific contention that subsequent to premature completion of earlier police custody, several witnesses were examined, several financial transactions of the accused were scrutinized. There is also mention with regard to the data extracted from the electric devices seized in the case has been provided by CFSL on 20.02.2026. The said data has been voluminously analyzed and several incriminating documents, chats etc were found. Therefore, the principle laid down in the said judgment facts in the said judgment are slightly different to the facts of the present case.

14. Admittedly, investigation is pending in the subject crime. There is no dispute with regard to the principle that application filed seeking police custody second time within stipulated time in terms of Unlawful Activities (Prevention) Act, 1867 is maintainable. The said principle was

also laid down by this Court in the aforesaid *Nossam Mohammed Yunus*¹.

15. Admittedly, the Investigating Officer has filed the aforesaid application seeking police custody second time within time lines, it is maintainable. In the present case, they have specifically mentioned reasons, however, they have not mentioned the number of witnesses examined subsequent to premature completion of earlier police custody, the number of transactions etc. Specifically, in paragraph No.10 of the said application. Further there is mention with regard to examination of witnesses subsequent to premature completion of earlier police custody, financial transactions. There is specific mention with regard to data provided on CFSL dated 20.02.2026 and analyzation of the said incriminating documents including chats etc. On consideration of the said aspects only, the learned Designated Court allowed the said application filed by the Investigating Officer and granted police custody second time for five days i.e., from 02.04.2026 at 10.00 a.m., to 06.04.2026 till 04.30 p.m., on imposition of certain conditions. There is no error in it.

16. In the light of the same, we are not inclined to interfere with the impugned order passed by the learned Designated Court, this Appeal is liable to be dismissed. Accordingly, it is dismissed. However,

Investigating Officer shall strictly follow the conditions imposed by the learned Designated Court in the impugned order.

17. During the course of hearing, it is brought to the notice of this Court that the appellant is suffering with spine problem, he underwent operation twice, he is aged about 64 years and he requires third surgery, which is scheduled on 04.04.2026. However, it is for the appellant to seek bail by filing proper medical reports and it is for the Designated Court to consider the same.

18. During the course of hearing, it is also brought to the notice of the Court that the bail application filed by him was dismissed on 13.03.2026.

19. At this stage, Sri V.Pattabhi, learned Senior Counsel for the appellant, on instructions, would submit that there are no proper facilities in NIA office, therefore, appellant may be interrogated in the jail itself.

20. Whereas Sri P.Vishnuvardhan Reddy, learned Special Public Prosecutor for NIA, on instructions would submit that NIA Office has all the facilities and will not cause any inconvenience to the appellant. Investigating Officer will ensure all the facilities to the appellant.

21. At this stage, Sri V.Pattabhi, learned Senior Counsel for the appellant, seeks a direction to Investigating Officer in the said crime to

interrogate the appellant from 10.00 a.m to 05.00 p.m. considering his age and ailments.

22. Considering the age of the appellant i.e., 65 years and the ailments which he is facing, the Investigating Officer is directed to interrogate the appellant from 09.00 a.m., to 05.00 p.m., other conditions imposed in the impugned order remains unaltered.

23. With the above observations, this Appeal is disposed of.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

SD/- N.CHANDRA SEKHAR RAO
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The IV Additional Sessions Judge, Hyderabad. (With records, if any)
2. The IV Additional Sessions Court cum Special Court for NIA Cases, at Nampally.
3. Two CCs to the Special Public Prosecutor, High Court for the State of Telangana, at Hyderabad (OUT)
4. The Superintendent National Investigation Agency Police Station, Hyderabad.
5. One CC to Sri. Kamatam Rajitha, Advocate [OPUC]
6. Two CD Copies

DL/PSL

B/M

HIGH COURT

DATED: 02/04/2026

JUDGMENT

CRLA.No.341 of 2026



DISPOSING OF THE CRIMINAL APPEAL

9 Copies
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