

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

**WEDNESDAY, THE TWENTY FOURTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION NO: 11862 OF 2025

Between:

Nunavath Nithin, s/o. Nunavath Srinivas, Aged about 23 years, occ.Private,
R/o. H.No.5-97/1, Vempalli Village, Jagtial District-505331.

...Petitioner/Accused No.1

AND

State of Telangana,, Rep. by its Public Prosecutor, High Court for the state of
Telangana, High Court Buildings, Hyderabad, Through the Station House
Officer, Mallapur Police Station, Jagtial District

...Respondent/Complainant

Petition under Section 482 of BNSS, praying that in the circumstances
stated in the Memorandum of Grounds of Criminal Petition, the High Court may
be pleased to **grant** anticipatory bail to the petitioner/Accused No.1 in F.I.R.
83/2025, Dated 21-05-2025 Mallapur Police Station, Jagtial District for offences
under Sections U/s. 109, r/w. 3(5) BNS in the event of arrest.

This Petition coming on for hearing, upon perusing the Memorandum of
Grounds of Criminal Petition and upon hearing the arguments of
Mr. MADAS BHARATH CHANDRA, Advocate for the Petitioner and Mr ARUN
KUMAR DODDLA, the Additional Public Prosecutor (TG) on behalf of the sole
Respondent.

The Court made the following: ORDER

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.11862 of 2025

ORDER:

This Criminal Petition is filed before this Court for grant of pre-arrest bail to the petitioner who is arrayed as accused No.1 in FIR No.83 of 2025 of Mallapur Police Station, Jagitial District.

2. Heard Sri Madas Bharath Chandra, learned counsel for the petitioner as well as Sri Arun Kumar Doddla, learned Additional Public Prosecutor appearing on behalf of the respondent - State.

3. Without going into the merits of the case, it is seen from the record that the petitioner has directly approached this Court seeking anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

4. At this stage, it is pertinent to note the judgment of the Hon'ble Supreme Court, in the case of **Mohammed**

Rasal. C and Another v. State of Kerala and Another¹, has clearly held that though the Sessions Court and the High Court exercise concurrent jurisdiction to entertain applications for anticipatory bail under Section 482 of the BNSS (formerly Section 438 Cr.P.C.), judicial discipline and the hierarchy of Courts require that such applications must ordinarily be filed before the Sessions Court in the first instance. The Hon'ble Supreme Court further observed that entertaining such applications directly in the High Court, without first invoking the jurisdiction of the Sessions Court, undermines procedural discipline and unnecessarily burdens the High Court with matters that can be effectively dealt with at the District level. The Sessions Court, being the court of first contact, is better placed to consider such applications as it has immediate access to case records and the assistance of the concerned Public Prosecutor. It is only in exceptional or extraordinary circumstances, with reasons specifically recorded, that the High Court may entertain a direct application.

¹ Special Leave to Appeal (Crl.) No.6588/2025 dated 08.09.2025

5. In view of the law laid down by the Hon'ble Supreme Court, this Court finds it appropriate to direct the petitioner to first approach the Sessions Court for seeking the relief of anticipatory bail.

6. Accordingly, this Criminal Petition is disposed of with liberty to the petitioner to approach the Sessions Court for grant of pre-arrest bail.

Miscellaneous applications, if any pending, shall stand closed.

SD/- U.SUDHA
ASSISTANT REGISTRAR



//TRUE COPY//

SECTION OFFICER

To,

1. The Station House Officer, Mallapur Police Station, Jagtial District
2. Two CCs to the Public Prosecutor, High Court for the State of Telangana, at Hyderabad. [OUT]
3. One CC to Mr. MADAS BHARATH CHANDRA, Advocate [OPUC]
4. Two CD Copies

RC/PSL

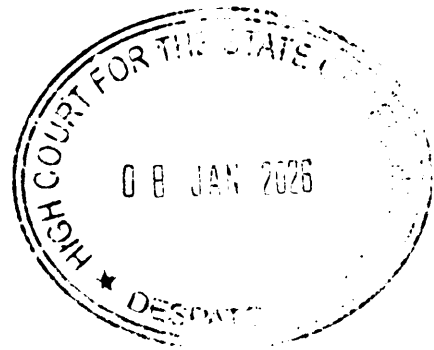


HIGH COURT

DATED: 24/09/2025

ORDER

CRLP.No.11862 of 2025



Accordingly, this Criminal Petition is Disposed of.

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Asu
24/1/25