

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

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION Nos.14839 and 15368 of 2025

DATE: 09.12.2025

Crl.P.No.14839 of 2025

BETWEEN:

Kotla Naveen and another

...petitioners/accused Nos.1 and 3

And

The State of Telangana, Rep. by its
Public Prosecutor, High Court for the
State of Telangana, Hyderabad and
others

.....Respondent/complainant

Crl.P.No.15368 of 2025

Bairu Mahesh

.....petitioner/accused No.2

And

The State of Telangana,
Rep. by its Public Prosecutor,
High Court for the State of Telangana,
Hyderabad and others

.....Respondent/complainant

COMMON ORDER

These Criminal Petitions are filed praying this Court to enlarge the petitioners on bail who are arrayed as accused Nos.1 to 3 in S.C.Spl.No.96 of 2025 on the file of the learned Special Sessions Judge for SC/STs-cum-II Additional District and Sessions Judge, Nalgonda, registered for the offences punishable under Sections 103(1),61(2) read with 3(5) of BNS and Section 3(2)(v) of SC/STs (POA) Act, 1989.

2. The brief facts of the case are that the deceased Krishna, who had married Bhargavi against her family's wishes, was allegedly murdered by the petitioners and others due to inter-caste hostility. A missing complaint was earlier lodged by Bhargavi's family. The next day, the deceased was found dead near a pond, and the petitioners were implicated based on suspicion, confessional statements, and alleged extra-judicial confessions. The petitioners had remained in judicial custody for over 285 days, and the investigation had already culminated in filing of the charge sheet.

3. Heard Smt. Devineni Radha Rani, learned counsel for petitioners, Sri D. Arun Kumar, learned Additional Public Prosecutor appearing on behalf of the respondent – State and Sri V. Raghunath, learned Senior Counsel appearing for Sri S.M. Rizwan Akhter, learned counsel for respondent Nos2 and 3.

4. Learned counsel for the petitioners submitted that the earlier bail petitions of petitioners were dismissed by this Court stating that already chargesheet is filed and there is chance of trial, whereas, this Court had set aside the cognizance order itself in CrI.P.No.15327 of 2025. She averred that there is no chance for trial in near future and again cognizance has to be taken and again charges have to be framed against the accused and only then schedule for trial would be fixed. She contended that petitioners are in jail from 26.01.2025 and are implicated in the case merely basing on suspicion. While placing reliance on precedents, she averred that accused cannot be incarcerated for a long time when there is no chance to conclude the trial at the earliest. She lamented that the petitioners' long incarceration amounted to pre-trial punishment, custodial interrogation was no longer required as the investigation was completed, similarly placed co-accused had already been granted bail. Therefore, she prayed the Court to grant bail to the petitioners by allowing these Criminal Petitions.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioners stating that the allegations leveled against the petitioners are heinous and serious in nature. He contended that there is every chance of accused threatening the wife of deceased to withdraw the criminal case, and averred that mere setting aside of cognizance order is not a

ground for consideration of bail petitions. He submitted that the Act itself says that trial has to be concluded in such offences within a period of 2 months, therefore, prayed this Court to direct the trial Court for early disposal of the case.

6. Learned counsel for respondent Nos.2 and 3 had opposed the bail and submitted that the petitioners had a clear motive to eliminate the deceased, as they had vehemently opposed the inter-caste marriage between the deceased and respondent No.3. He further submitted that, as stated in the complaint, the petitioners and other accused had been threatening the deceased with dire consequences and had conspired to kill him, which resulted in his body being found near the village pond the next morning. He contended that the petitioners had actively participated in the offence, that the allegations were grave and attracted stringent provisions under the SC/ST (POA) Act, and that their release would endanger the safety of the de facto complainant and respondent No.3, who continued to face threats and pressure to compromise. Therefore, he prayed the Court to dismiss the Criminal Petition.

7. Having regard to rival submissions made, and on going through the material placed on record, it is noted that it is the specific contention of learned counsel for petitioner that since the cognizance order was set aside, there is no immediate prospect of trial, and the

petitioners incarcerated since January 2025 ought not to have suffered with prolonged pre-trial detention when investigation is complete, whereas, the respondents opposed bail, stressing the seriousness of the allegations, the risk of the accused intimidating the deceased's wife, and contending that the mere setting aside of cognizance does not justify release.

8. That being so, considering the apprehension of respondents, and the changed circumstances as submitted by learned counsel for petitioners, this Court deems it fit to grant bail to the petitioners, subject to compliance of the below conditions :

- i. The petitioners shall execute a personal bond for a sum of Rs.25,000/- each (Rupees Twenty Five Thousand only) with two sureties for a like sum each, to the satisfaction of the Special Sessions Judge for SC/ST cum II Additional District and Sessions Judge, at Nalgonda. Further, the petitioner shall surrender their passport, if any, before the said Court and shall not apply for a fresh passport without prior permission of the said Court.
- ii. The petitioners shall not enter into the place where the de facto complainant, and victim, resides.
- iii. The petitioners shall strictly abide by the conditions stipulated in Section 480(3) of the BNSS, earlier known as Section 437(3) of Cr.P.C.

- iv. The petitioners shall not directly or indirectly contact, influence, threaten, or induce any of the witnesses.
- v. The petitioners shall not leave the territorial jurisdiction without prior permission of the trial Court.
- vi. The petitioners shall not involve themselves in any offences of similar nature or any other criminal activity during the pendency of the trial.
- vii. The petitioners shall furnish his residential address and mobile number to the Investigating Officer and shall keep the same updated in case of any change.
- viii. In case of violation of any of the above conditions, it is open to the prosecution to seek cancellation of bail.

9. Accordingly, these Criminal petitions are allowed.

Miscellaneous applications, if any pending, shall stand closed.

Date: 09.11.2025
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K. SUJANA, J

THE HONOURABLE SMT JUSTICE K. SUJANA

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