

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.15755 of 2025

DATE: 15.12.2025

BETWEEN:

Mohammed Ibrahim

.....petitioner/accused No.1

And

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

.....Respondent/complainant

ORDER

This Criminal Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of pre-arrest bail to the petitioner, who is arrayed as accused No.1 in Crime No.594 of 2025 before the Armoor

Police Station, Nizamabad District, registered for the offences punishable under Sections 109(1) read with 3(5) of BNS.

2. The brief facts of the case are that on 05.11.2025 at about 22:30 hours, the petitioner Shaik Saddam Hussain, owner of a tea hotel near Perkit X Road, was assaulted by Ibrahim/accused No.1 and his associates. Earlier, on 02.11.2025, accused No.1 had been refused tea after closing time and had threatened the petitioner. Holding a grudge, accused No.1 allegedly returned on 05.11.2025 with accused Nos.2 to 8 and others, again demanded tea, urinated beside the shop to provoke the petitioner, and then, along with his associates, assaulted the petitioner with sticks and iron rods. The petitioner and two workers, Shaik Moula and Shafiyuddin, sustained bleeding injuries and were shifted to hospitals for treatment. After recovering sufficiently, the petitioner lodged the report on 06.11.2025.

3. Heard Sri Alluri Divakar Reddy, learned counsel appearing on behalf of the petitioner as well as Sri D. Arun Kumar, learned Additional Public Prosecutor appearing on behalf of the respondent – State.

4. Learned counsel for the petitioner submitted that the petitioner had been falsely implicated as accused No.1 without any evidence linking him to the alleged offences and that the allegations were vague, unsupported by material, and motivated by harassment, and that the essential ingredients of Section 109(1) r/w 3(5) BNS were not attracted. He contended that the petitioner had no role in the incident, that the police were attempting to arrest him without justification, and that he feared custodial harassment. Therefore, he prayed the Court to grant pre-arrest bail to the petitioner by allowing this Criminal Petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner stating that the allegations leveled against the petitioner are serious in nature. Further, the investigation was not yet completed. Therefore, at this stage, granting of pre-arrest bail to the petitioner does not arise. Hence, he prayed the Court to dismiss the criminal petition.

6. In the light of the submissions made by both the learned counsel and on a perusal of the material available on record, though the de-facto complainant alleges that the

victim sustained grievous and bleeding injuries, the medical certificate placed before this Court by the learned Additional Public Prosecutor indicates that the victim suffered only one simple injury. Having regard to the facts and circumstances of the case, the nature of the alleged injuries, and the stage of investigation, this Court is of the considered view that custodial interrogation of the petitioner is not warranted at this juncture. Hence, this Court deems it fit to grant pre-arrest bail to the petitioner, subject to the following conditions:

- i. The petitioner shall surrender before the Station House Officer, Armoor Police Station, Nizamabad District, within two weeks from today, and on such surrender, the said Station House Officer shall release him on bail on executing a personal bond for Rs.25,000/- with two sureties, for the like sum each.
- ii. The petitioner shall abide by the other conditions stipulated in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023 and co-operate with the

Investigating Officer in investigating the case.

- iii. The petitioner shall appear before the concerned Investigating Officer on every Monday between 09:00 a.m, and 05:00 p.m., till the filing of the charge sheet and thereafter, as and when required

7. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 15.12.2025
SAI

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