

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

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.17173 of 2025

DATE : 29.12.2025

Between:

Sri Santhu @ Mandipuri Santhosh Raj.

...Petitioner/Accused No.2

AND

The State of Telangana
Represented by its Public Prosecutor,
High Court at Hyderabad through SHO, Police Station,
Nizamabad Rural, Nizamabad.

...Respondent

ORDER:

This Criminal Petition is filed before this Court for grant of pre-arrest bail to the petitioner who is arrayed as accused No.2 in FIR No.272 of 2025 before the Nizamabad Rural Police Station, Nizamabad District, registered for the offences punishable under Section 109 r/w 3(5) of the Bharatiya Nyaya Sanhita (for short 'BNS').

2. The case of the prosecution is that the *de-facto* complainant, lodged a report before the police on 23.08.2025 stating that, on 21.08.2025, his brother, along with one Battu Vijay, went to Ashok Wines to consume alcohol in the permit room. At that time, accused Nos.1 to 5 were also present there, they quarreled with B. Vijay. When the de facto complainant's brother intervened to rescue Vijay, Vijay managed to leave the place, however, the accused caught hold of the complainant's brother, questioned him as to why he intervened in the dispute, threatened him, and took him away on their motorcycle. Subsequently, accused Nos.1, 3 to 5 assaulted Naveen Kumar and when Vikas attempted to rescue Naveen Kumar, all the accused assaulted Vikas, as well, causing severe bleeding injuries to both Naveen Kumar and Vikas, as such requested the police for taking necessary action. On receipt of the said complaint, the Police registered case against the petitioner for the offences as alleged. Aggrieved thereby, this Criminal Petition is filed seeking anticipatory bail of the petitioner.

3. Heard Sri P. Shashi Kiran, learned counsel for the petitioner as well as Sri Arun Kumar Doddla, learned Additional Public Prosecutor appearing on behalf of the respondent - State.

4. Learned counsel for the petitioner submitted that the petitioner is innocent of the said allegations except for stating that the presence of the petitioner at the scene of the incident. There are no specific allegations against the petitioner which would constitute any of the offence alleged. Even according to the remand report, the petitioner did not assault anyone, in fact the petitioner tried to rescue Naveen Kumar. It is further submitted that Vikas did not sustain any injuries, and that the petitioner herein has no connection whatsoever with Naveen Kumar and there is no such intention on the part of the petitioner to cause the death of Naveen Kumar. Therefore, he prayed the Court to grant pre-arrest bail to the petitioner by allowing this criminal petition.

5. On the other hand, the learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner, contending that the allegations against the petitioner are of a serious and grievous nature. It is further submitted that the material part of the investigation is not yet completed and that except accused Nos.4 and 5, the remaining accused have been shown as absconding. However, he informed the Court that the investigating authority has

obtained the injury certificate of Naveen Kumar, which discloses that the injuries sustained by him are grievous in nature. It is further submitted that no injury certificate has been obtained in respect of Vikas, as concluded by the investigating authority. At this stage, granting of pre-arrest bail to the petitioner does not arise. Therefore, he prayed the Court to dismiss the criminal petition.

6. In light of the submissions made by both the learned counsel and upon perusal of the material available on record, it appears that the petitioner herein is arrayed as accused No.2 for the alleged offences under Section 109 r/w 3(5) of the Bharatiya Nyaya Sanhita (for short 'BNS'. The allegation against the petitioner, as reflected in the remand report of accused Nos.4 and 5, is that the petitioner assaulted Vikas, when the petitioner attempted to rescue Naveen Kumar, except for the said allegation, there are no other specific allegations against the petitioner. Considering the facts and circumstances of the case, this Court deems it fit to grant pre-arrest bail to the petitioner, subject to compliance of the following conditions:

- i. The petitioner shall surrender before the
Station House Officer, Nizamabad Rural

Police Station, Nizamabad, within two weeks from today, and on such surrender, the said Station House Officer shall release him on bail, on petitioner executing a personal bond for Rs.25,000/- (Rupees Twenty Five Thousand only), 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: 29.12.2025
SRK

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SRK