

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.476 of 2026

DATE: 02.02.2026

BETWEEN:

Dharavath Sai Nayak @ Dharavath Sai and 2 others

..... Petitioners/Accused
Nos.5, 11 & 12

And

The State of Telangana,
Represented by its Public Prosecutor,
High Court of Telangana at Hyderabad,
Through Sub-Inspector of Police,
Bibinagar Police Station,
Yadadri-Bhongir District

..... Respondents/
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 petitioners, who is arrayed as accused Nos.5, 11
& 12 in Crime No.439 of 2025 before the Bibinagar Police Station,
registered for the offences punishable under Sections 109, 118(2),
115(2), 351(2) and 352 read with 190 of BNS.

2. The brief facts of the case are that the *de-facto* complainant lodged a report before the police on 29.12.2025 stating that on 28.12.2025 at about 20.30 hours, while he along with others was sitting near a fire, the accused persons namely, Naresh, Krishni, Raju, Prem Sagar, Sani, Bikana, Kishan, Sai, Kiran, Lakma, Bablu, Ravi, and Kalyan came there, abused them in filthy language, and beat them with sticks. Based on the said report, the police registered a case against the accused for the aforesaid offences.

3. Heard Sri K. Rohit, learned counsel appearing on behalf of the petitioners as well as Sri D. Arun Kumar, learned Additional Public Prosecutor appearing on behalf of the respondent – State.

4. Learned counsel for the petitioners submitted that the petitioners are innocent of the allegations and that there is a counter case filed by the petitioners, which was registered as Crime No.238 of 2025, wherein the *de-facto* complainant attacked the petitioners. In the remand report, allegations are made against accused Nos.1 to 9, but there is no mention of petitioner Nos.2 and 3 (Accused Nos.11 and 12). He further submitted that the complaint itself mentions only four persons as assailants, and subsequently, the petitioners were implicated without any specific role attributed to them. Therefore, custodial interrogation of the

petitioners is not required and prayed the Court to grant pre-arrest bail to the petitioners by allowing this Criminal Petition.

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 severe in nature and that the injured sustained grievous injuries on the head. Further, the investigation was not yet completed. At this stage, granting of pre-arrest bail to the petitioners does not arise. Therefore, he prayed the Court to dismiss the criminal petition.

6. In light of the submissions made by both learned counsel, and upon perusal of the material available on record, it is evident that while some persons attacked the *de-facto* complainant, the specific allegations are primarily against accused Nos.1 to 3. No specific overt acts are attributed to the present petitioners in the complaint or in the statements of prosecution witnesses. Considering the nature of allegations, custodial interrogation of the petitioners does not appear necessary at this stage. In view of the facts and circumstances of the case, this Court deems it fit to grant pre-arrest bail to the petitioners, subject to the following conditions:

- i. The petitioners shall surrender before the Station House Officer, Bibinagar Police Station, Yadadri-Bhuvanagiri 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/- each with two sureties, for the like sum each.
- ii. The petitioners 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 petitioners shall appear before the concerned Investigating Officer on every Monday between 09:00 a.m, and 05:00 p.m., or till the filing of the charge sheet, whichever is earlier, 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: 02.02.2026
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