

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.1985 of 2026

DATE: 20.02.2026

BETWEEN:

B.Prasad and others.

.....petitioners

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 petitioners, who are arrayed as accused in Crime No.61 of 2026 before the Medak Police

Station, registered for the offences punishable under Sections 109, 126(2), 74, 171(2)(a), r/w 3(5) of BNS, 3(1)(r)(s), 3(2)(va) of SC/ST (POA) Act.

2. The brief facts of the case are that the complainant, Smt. Godala Akhila, who had recently completed her GNM course, alleged that she was being harassed and pressurized by Mallikarjun Goud, his associates, and BRS party members to work for their political interests. On 09.02.2026 at about 22:00 hours, when she refused, she was subjected to caste-based abuse in public. Distressed, she informed Medak MLA Sri Mainampally Rohit. Later, at around 00:15 hours, when the MLA was proceeding to her residence, his vehicle was wrongfully restrained and attacked with granite stones by the accused, causing damage to the vehicle and injuries to those inside. During the incident, the accused also assaulted Naresh Goud, a Congress candidate, and outraged the modesty of Smt. Thagaram Priyanka. The police registered Cr.No.61/2026 under relevant provisions of the BNS and SC/ST (POA) Act, seized material evidence, and arrested several accused persons.

3. Heard Sri B.Murlidhar, learned counsel for petitioner, and Sri Ramachandra Reddy, learned Additional Public Prosecutor appearing on behalf of the respondent – State.

4. Learned counsel for the petitioners submitted that petitioners are law-abiding citizens with good reputation and have been falsely implicated due to political rivalry, and that their names were not mentioned in the original complaint, nor were they arrayed as accused, and no prima facie case or evidence exists against them. He averred that the allegations are vague, baseless, and motivated by malice, intended only to harass them with threats of arrest. Therefore, he 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 petitioner stating that the investigation has already revealed incriminating material, including witness statements, seizure of stones used in the offence, and confessions of co-accused. Therefore, prayed the Court to dismiss the criminal petition.

6. Having regard to the rival submissions made by both sides and upon perusal of the material available on record, it is the contention of the learned counsel for the petitioners that the names of the petitioners are not mentioned in the complaint and that no specific overt acts are attributed to them so as to attract the offences alleged, including the provisions of the SC/ST (POA) Act. It is further contended that except the allegation against accused No.1 relating to caste-based abuse, there are no specific allegations connecting the present petitioners with the alleged incident, much less with any intention to cause fatal injuries to the MLA, and that the photographs filed would show injuries to a person other than the MLA, without any clarity in the remand report as to the identity of the injured. It is therefore argued that custodial interrogation of the petitioners is not necessary. On the other hand, the learned Additional Public Prosecutor would contend that the investigation has revealed incriminating material, including witness statements, seizure of stones used in the offence, and confessional statements of co-accused, and therefore the petitioners are not entitled to the discretionary relief of anticipatory bail. The learned Additional Public Prosecutor also relied upon the judgment of the Hon'ble

Supreme Court in **Mohammed Rasal.C & Another vs. State of Kerala & Another**¹, wherein, it was held that the parties seeking relief of pre arrest bail shall approach the Sessions Court first and shall not approach the High Court directly, whereas, it is to be noted that the same has not attained finality and is referred to Full Bench.

7. This Court, upon consideration of the material placed on record, notes that petitioner Nos.3, 6 and 10 have already been arrested, and therefore the present petition insofar as they are concerned has become infructuous. Further, petitioner No.7 is stated to be involved in other criminal cases of similar nature, and therefore this Court is not inclined to grant discretionary relief to him. However, insofar as petitioner Nos.1, 2, 4, 5, 8 and 9 are concerned, prima facie the allegations against them appear to be general in nature without any specific overt acts attributed individually, and the investigation material placed does not indicate the necessity of custodial interrogation at this stage. In such circumstances, and without expressing any opinion on the merits of the case, this Court is of the considered view that anticipatory bail can be granted to the said petitioners, subject to appropriate

¹ 2025 LiveLaw (SC) 884

conditions, to balance the interests of investigation with the personal liberty of the petitioners.

- i. The petitioner Nos.1, 2, 4, 5, 8 and 9 shall surrender before the Station House Officer, Medak Town Police Station, within two weeks from today, and on such surrender, the said Station House Officer shall release them on bail on executing a personal bond for Rs.25,000/-, each with two sureties, for the like sum each.
- ii. The petitioner Nos.1, 2, 4, 5, 8 and 9 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 Nos.1, 2, 4, 5, 8 and 9 shall appear before the concerned Investigating Officer on every Monday and Wednesday between 09:00 a.m, and 05:00 p.m., for a period of eight

(8) weeks or till the filing of the charge sheet, whichever is earlier and thereafter, as and when required.

8. Accordingly, this Criminal Petition is partly allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 20.02.2026
PT

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