

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

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.2465 of 2026

DATE: 07.04.2026

BETWEEN:

Manchireddy Kishan Reddy and another

..... Petitioners

And

The State of Telangana,
Rep. by its Public Prosecutor,
High Court of Judicature, at Hyderabad,
Through PS Ibrahimpatnam,
Future City District, Telangana.

..... 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.119 of 2026 before the Ibrahimpatnam Police Station, Future City
District. The offences alleged in the said crime are punishable under
Sections 137 and 127 of BNS.

2. The brief facts of the case are that, the defacto complainant lodged a report before the police on 15.02.2026 stating that her husband, Akula Yadagiri, had contested as a Councillor candidate from the 19th Ward in the Ibrahimpatnam Municipal Elections, 2026. Counting of votes was conducted on 13.02.2026 at Sri Indu College, Sheriguda, wherein her husband was declared elected as the Councillor for the 19th Ward. Immediately after the declaration of the election results, certain persons allegedly belonging to the BRS party approached her husband, claiming that they would make him Chairman. On that pretext, they did not allow him to return home and forcibly took him away, detaining him against his will. Subsequently, some unknown persons kidnapped her husband from their house and shifted him to an unknown place. Her husband is a diabetic patient and requires regular medication and proper food, failing which his health and life may be at serious risk. Hence, she requested the police to take necessary action and trace her husband. Based on the said report, Police registered a crime for the abovementioned offences.

3. Heard Sri Sk. Fakruddin Ali, learned counsel appearing on behalf of the petitioners, Sri M. Ramachandra Reddy, learned Additional Public Prosecutor appearing on behalf of the respondent-State and Sri T.S. Anirudh Reddy, learned counsel appearing on behalf of the proposed respondent Nos.2 and 3.

4. Learned counsel for the petitioners submitted that the Ibrahimpatnam Municipal elections were held on 11.02.2026 and the results were declared on 13.02.2026, wherein thirteen (13) ward members belonging to the BRS Party were elected, including the husband of the de facto complainant. Though the said ward member did not attend the council meeting held on 16.02.2026, he voluntarily appeared for the subsequent meeting on 17.02.2026 and that he actively participated in the proceedings, exercised his right to vote as a ward member, and was present in the second row, raising his hand during the election process for the post of Chairperson. He further submitted that on 17.02.2026 at about 10:30 a.m., without knowledge of the voluntary presence of the said ward member at the meeting, the complainant's son, filed a Habeas Corpus Writ Petition bearing W.P. No. 4958 of 2026, in which the present petitioners were arrayed as Respondent Nos. 7 and 8. The Division Bench initially granted an interim order staying the election proceedings and directed production of the alleged detenu and that on 18.02.2026, the said ward member was produced before the Court and made allegations of abduction against the petitioners. However, it was brought to the notice of the Court that from 5:10 p.m. on 17.02.2026, the said ward member was in police custody, and therefore, the allegations made by him were likely under police influence and that after considering the rival submissions, the

Hon'ble Division Bench was pleased to dispose of the writ petition and vacate the interim stay order on 18.02.2026. He further submitted that petitioner No.1 is the District President of the BRS Party and a former MLA of the Ibrahimpatnam Constituency, and the petitioner No.2, being his son, is a respectable businessman and have no criminal antecedents. Hence, he prayed the Court to grant pre-arrest bail to the petitioners by allowing the present Criminal Petition.

5. On the other hand, learned Additional Public Prosecutor opposed the petition and filed a counter affidavit denying the submissions made by the learned counsel for the petitioners contending that, in compliance with the directions of this Court in W.P. No. 4958 of 2026, the police secured the presence of the de facto complainant's husband (alleged detenu), recorded his statement, and produced him before the Division Bench and the police issued notice under Section 35(3) of the BNSS to the petitioners on 21.02.2026, directing them to produce the mobile phone and election winning certificate of the defacto complainant's father within three (3) days. However, the petitioners deliberately evaded service of the said notice, compelling the police to affix the notice on the door of their residence. He further submitted that on 24.02.2026, the Station House Officer received a reply from the petitioners and other accused through speed post, stating that they

were not in possession of the mobile phone and election certificate and since the alleged offences are punishable with imprisonment of less than seven years, the police have strictly adhered to the procedure contemplated under Section 35(3) of the BNSS, however, the petitioners are not cooperating with the investigating agency and that the presence of the petitioners and other accused is necessary for effective investigation, particularly to ascertain the whereabouts of the mobile phone and the election winning certificate belonging to the complainant's husband. Hence, he prayed for dismissal of the Criminal Petition.

6. Learned counsel for the proposed respondent Nos.2 and 3 also opposed the bail of the petitioners by contending that proposed respondent No.2 is the de facto complainant and proposed Respondent No.3 is the victim in the alleged Crime and that the victim was forcibly abducted and illegally confined by the Petitioners immediately after the election results with the intention of preventing his participation in the Chairman and Vice-Chairman election meeting. Pursuant to orders of this Court, victim was produced and confirmed that he had been kidnapped at the behest of the Petitioners. The material on record clearly establishes a prima facie case and demonstrates a deliberate attempt to interfere with the democratic process. He further submitted that grant of anticipatory bail of the petitioners may result in influencing witnesses and

hampering the investigation. Hence, prayed the Court to dismiss the petition.

7. In light of the submissions made by the learned counsel for the petitioners as well as the learned Additional Public Prosecutor and upon perusal of the material available on record, it is observed that the alleged offences are punishable with imprisonment for a period of less than seven years. It is the specific contention of the learned counsel for the petitioners that neither the mobile phone nor the election winning certificate is in the custody or possession of the petitioners and during the course of oral arguments, he also submitted that certain persons allegedly informed the police that the mobile phone is with them. Having regard to the nature of the allegations, the stage of investigation, and the overall 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, Ibrahimpatnam Police Station, Future City District, within two (2) weeks from today, and on such surrender, the 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 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 Wednesday between 09:00 a.m, and 05:00 p.m. for a period of eight (8) weeks or till filing of charge sheet whichever is earlier, for the purpose of investigation, and thereafter, as and when required.

- 8. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

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