

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

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.3037 OF 2026

DATE :10.03.2026

Between :

Mekala Nagaraju and another

... Petitioners/Accused Nos.1 and 2

And

The State of Telangana, through
Rep. by Public Prosecutor,
High Court for the State of Telangana,
Hyderabad and another

... Respondents

: ORDER :

This criminal petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 by the petitioners/Accused Nos.1 and 2 seeking anticipatory bail in connection with Crime No.35 of 2026 of KUC Police Station, Warangal District. The offences alleged against the petitioners are under Sections 74, 115(2), 118(1), 329(4) and 351(2) r/w.3(5) of Bharatiya Nyaya Sanhita, 2023. After receipt of Medical Certificate, Police filed alternation memo altering the Sections of law for the offence under Section 118(1) of Bharatiya Nyaya Sanhita, 2023 to Section 118 (2) of BNS, as the injury is grievous in nature.

2. The facts of the case are that the de-facto complainant lodged a complaint before police on 22.01.2026 stating that as there are disputes between the parties regarding the canal water when husband of defacto complainant obstructed the canal water to the land of accused persons, A-1 came to their house, threatened the defacto complainant and her husband, beat them indiscriminately, due to which, husband of defacto complainant sustained bleeding injuries and he was immediately shifted to hospital. Later she lodged complaint before Police requesting the police for taking necessary action, basing on the same, Police registered the case against the accused for the above offences.

3. Heard Sri V. Venkatram Narsaiah, learned counsel for the petitioners as well as Sri M. Ramachandra Reddy, learned Additional Public Prosecutor for respondent-State.

4. The contention of learned counsel for the petitioners is that petitioners are innocent of the said allegations and there are civil disputes between the parties. He further submitted that initially petitioners were served notice under Section 35(3) of BNSS and later they altered the Section of law from Section 118(1) of Bharatiya Nyaya Sanhita, 2023 to Section 118 (2) of

BNS, as the injury is grievous in nature. He further submitted that in view of alteration of section of law there is threat of arrest of petitioners and petitioners are ready to cooperate with the Investigating Authority. Hence, he prayed this Court to grant anticipatory bail to the petitioners.

5. On the other hand, learned Additional Public Prosecutor opposed bail stating that the allegations against the petitioners are serious in nature and as the victim sustained grievous injury as per injury certificate the Section of law is altered to Section 118 (2) of BNS offence. Therefore, the petitioners are not entitled for anticipatory bail and requested this Court to dismiss the petition.

6. Considering the submissions made by both the parties and the material on record, petitioners herein have already served notice under Section 35(3) of BNSS before altering the section of law and there is no such information furnished by the learned Addl. Public Prosecutor stating that the petitioners are not cooperating with the Investigating Authority. In that view of the matter, this Court deems it fit to grant anticipatory bail to the petitioners subject to the following conditions:

- i. The petitioners shall surrender before the Station House Officer, KUC Police Station, Warangal District within two weeks from today, and on such

surrender, the said Station House Officer shall release the petitioners on bail on their executing personal bond for Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties, for the like sum each.

- ii. The petitioners shall appear before the concerned SHO between 09.00 a.m and 5.00 p.m., on every Monday for a period of eight (8) weeks, for the purpose of investigation or till filing of charge sheet whichever is earlier and thereafter, as and when required.
- iii. The petitioners shall abide by the other conditions stipulated in Section 482 (2) of BNSS and co-operate with the Investigating Officer in investigating the case.

7. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

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PN/BJ

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