

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

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.4262 OF 2026

DATE : 08.04.2026

Between:

Ganesh Banoth & two others

....Petitioners/A.2, A.3 & A.5

AND

The State of Telangana,
Rep., by its Public Prosecutor,
High Court for the State of Telangana,
Through S.H.O, P.S.Neckonda,
Warangal District.

..... Respondent/Complainant

: ORDER :

This Criminal Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking the Court to grant anticipatory bail to the petitioners in the event of their arrest in connection with Crime No.21 of 2026 of Neckonda Police Station, Warangal District. The offences alleged against the petitioners are under Sections 292, 115(2), 118(1), 118(2), 324(4) r/w.3(5) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS').

2. The facts of the case are that on 21.01.2026 at about 17:30 hours by the complainant, Badavath Bhanuprakash,

lodged a complaint stating that on 19.01.2026, a panchayat was held between the complainant and the accused regarding a money dispute, which was postponed to 27.01.2026. However, during the earlier panchayat, a quarrel took place and the accused damaged the complainant's mobile phone, causing a loss of Rs.25,000/-. Subsequently, in the early hours of 20.01.2026, A.1 to A.5 went to the complainant's house, picked up a quarrel with his mother, and when questioned, abused the complainant and his family members in filthy language. During the altercation, A.3 allegedly attacked the complainant with an axe handle causing injury to his leg, while A.1 also assaulted him, resulting in injuries. When the complainant's parents intervened, A.2 assaulted them with a pestle, causing injuries to both of them. It is further alleged that A.4 and A.5 also assaulted the complainant's wife. The incident was witnessed by several persons, and thereafter, the complainant and his family members received treatment at the hospital and later lodged the complaint with the police.

3. Heard Sri Veera Babu Gandu, learned counsel appearing for the petitioners and Sri M.Ramachandra Reddy, learned Additional Public Prosecutor appearing for the respondent – State.

4. The learned counsel for the petitioners contend that the petitioners/Accused Nos.2, 3 and 5 have been falsely and maliciously implicated in the present case with a view to harass them, and that the allegations are concocted and baseless. It is submitted that the police have suppressed material facts and registered a false case. The learned counsel further submits that the offences alleged do not attract the provisions invoked in the FIR, and continuation of proceedings would result in miscarriage of justice and serious prejudice to the petitioners. It is also contended that the dispute between the parties is essentially civil in nature, but has been given a criminal colour. The counsel submits that the petitioners have no criminal antecedents, and that the police are attempting to arrest them without justification, which would cause undue hardship to their families. It is further submitted that the police have not complied with the mandatory provisions under Section 41-A Cr.P.C. and have violated the law laid down by the Hon'ble Supreme Court in **Arnesh Kumar v. State of Bihar**¹. Hence, prayed this Court to grant anticipatory bail to the petitioners.

5. On the other hand, learned Additional Public Prosecutor opposed bail contending that A.1 to A.5 abused the complainant and his family in filthy language, A.3 beat the complainant with

¹ (2014) 8 SCC 273

the wooden handle of an axe on his left big toe, A.1 beat complainant on both hands due to which the complainant received grievous injuries and when the parents of complainant tried to stop the accused, A.2 beat his father with pestle and A.4 and A.5 also beat the wife of complainant with sticks and hands. Hence, petitioners are not entitled to bail and prayed to dismiss this petition.

6. Considering the submissions made by the learned counsel on either side and on perusal of the material available on record, the allegations against the petitioners are serious in nature that due to the assault committed by the petitioners, the complainant and his family suffered grievous injuries. Considering the nature of injuries suffered by the injured, this Court is not inclined to grant bail to the petitioners. However, as informed to the Court that petitioner No.3/A.5 is a pregnant woman, this Court is inclined to grant bail to petitioner No.3/A.5 subject to the following conditions :

- i. The petitioner No.3/A.5 shall surrender before the Station House Officer, Neckonda Police Station, Warangal District within two weeks from today, and on such surrender, the said Station House Officer shall release the petitioner/A.5 on bail on her executing a personal bond for Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties, for the like sum each.

- ii. The petitioner No.3/A.5 shall appear before the concerned SHO between 09.00 a.m and 05.00 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 petitioner No.3/A.5 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 partly allowed granting bail to petitioner No.3/A.5 and dismissed in so far as petitioner Nos.1 and 2/A.2 and A.3 are concerned.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 08.04.2026

Rds

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.4262 OF 2026

DATE : 08.04.2026

Rds