

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.4942 OF 2026

DATE : 27.04.2026

Between:

Mohammed Khamar & two others

....Petitioners

AND

The State of Telangana

..... Respondent

: ORDER :

This criminal petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 by the petitioners seeking anticipatory bail in connection with Crime No.35 of 2026 of Pocharam IT Corridor, Rachakonda. The offences alleged against the petitioner are under Sections 109, 329(3), 351(2), 191(2), 191(3) r/w.190 of Bharatiya Nyaya Sanhita, 2023.

2. The facts of the case are that on 13.01.2026 at about 21:30 hours, a complaint was received from Sri Mohammed Azhar, stating that he is working as a driver to Mr. Mohammed

Amair Sohail and also as an office boy to Mr. Cheruku Shiva Reddy, the owner of several plots including Plot Nos. 1057, 1447, 1260 and others, and the Vice President of the Ekashila Plot Owners Association. It is stated that Mr. Cheruku Shiva Reddy is in lawful possession of the said plots and has obtained orders from this Court in O.P. No. 25111 of 2023 restraining Mr. Venkatesh and his associates from interfering with his peaceful possession. On 10.01.2026, as per the instructions of his employer, the complainant went to the said plots situated within the limits of IT Pocharam Police Station along with a JCB machine to clear and clean the land in view of the subsisting High Court orders. While supervising the work, a group of about 30 to 40 persons, including the petitioners and others, allegedly trespassed into the land, abused him in filthy language, and attacked him. A1 is alleged to have struck the complainant on the head with a knife and threatened him to withdraw the cases obtained by his employer, failing which he would be killed. It is further stated that the complainant was rescued by some ladies of the Ekashila Plot Owners Association who intervened at the spot, otherwise the accused would have killed him. Based on the said complaint, a case was registered against the accused for the above offences.

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

4. The contention of learned counsel for the petitioners is that the petitioners have been falsely implicated in a purely civil dispute relating to title and possession of land in Sy.Nos.739 to 742, which was purchased long ago by Accused No.1 and the partnership firm under registered sale deeds. It is submitted that several proceedings before this Court and civil courts, including writ petitions, suits, writ appeals, and Lok Adalat awards, have recognized the rights of Accused No.1 and the firm over the subject property, and interim orders passed earlier were also confined only to Sy.No.743. It is further submitted that rival claimants, having no valid rights over the subject land, attempted to trespass, form layouts, and grab the property with the help of others, and when the petitioners, who were only security personnel, resisted them, false complaints were lodged. Learned counsel further submitted that an earlier crime in respect of the same incident was already registered in Crime No.57 of 2026, wherein some accused were arrested, remanded,

and later granted bail, and therefore registration of present case on the same set of facts is illegal. It is also submitted that substantial investigation has already been completed, material witnesses were examined as such there is no possibility of tampering with evidence, and one of the co-accused has already been granted anticipatory bail by this Court. Hence, prayed this Court to grant anticipatory bail to the petitioners.

5. The learned Additional Public Prosecutor opposed for grant of anticipatory bail contending that the petitioners herein are also involved in other crimes. The petitioners along with other accused trespassed into the spot and abused the complainant and A.1 attacked the complainant with a knife and stuck on his head causing injuries to him. The allegations against the petitioners are serious in nature. As such, petitioners are not entitled to bail and prayed to dismiss this petition.

6. Considering the rival submissions and the material placed on record, this Court is of the view that the dispute appears to arise out of long-standing civil litigation concerning title and possession of the subject land, and the allegations against petitioner Nos.1 and 3 are general in nature without any specific

overt acts. As investigation has substantially progressed, the custodial interrogation of petitioner Nos.1 and 3 is not necessary. However, insofar as petitioner No.2 is concerned, the prosecution specifically alleges active involvement in the assault. In view of the seriousness of allegations, this Court is not inclined to grant anticipatory bail to petitioner No.2 and inclined to grant bail to petitioner Nos.1 and 3-Mohammed Khamar @ Qamar and Syed Jafar @ Jafar subject to following conditions :

- i. The petitioner Nos.1 and 3 shall surrender before the Station House Officer, Pocharam I.T.Corridor, Rachakonda Commissionerate, Medchal Malkajgiri District within two weeks from today, and on such surrender, the said Station House Officer shall release the petitioners on bail on their executing a personal bond for Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties, for the like sum each.
- ii. The petitioner Nos.1 and 3 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 Nos.1 and 3 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 anticipatory bail to petitioner Nos.1 and 3 and dismissed insofar as petitioner No.2 is concerned.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 27.04.2026
Rds

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