

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

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.5304 of 2026

DATE: 23.04.2026

BETWEEN:

Ishan Agarwal

..... Petitioner/Accused No.3

And

The State of Telangana,
Rep. by its Public Prosecutor for Home,
High Court for the State of Telangana,
At Hyderabad

..... Respondent

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 petitioner, who is arrayed as accused No.3 in
Crime No.264 of 2026 before the Malkajgiri Police Station,
Malkajgiri District, registered for the offences punishable under
Sections 318(2), 127(2), 352, 75, 308(2), 309(4), 140(3) and
143(1)(c) read with 3(5) of BNS.

2. The brief facts of the case are that, the *de-facto* complainant, on 30.03.2026, lodged a report before the Police stating that on 02.03.2026 she came into contact with accused No.1 through Instagram, who lured her with the promise of a good job and better lifestyle. Acting on his instructions, she travelled to Hyderabad on 03.03.2026, where she was received by accused No.2 and taken to a house at Jyoti Nagar, Hanumanpet, Malkajgiri and that accused No.2, his brother accused No.3, and others forcibly took away her gold and silver jewellery and cash, confined her, and seized her mobile phone. During her confinement, she was threatened, not allowed to move freely, and was subjected to physical and sexual assault against her will. The accused also allegedly forced her to change her Aadhaar details and mobile number under threat. On 26.03.2026, she managed to contact her uncle, who rescued her on 27.03.2026. Hence, requested the police to take necessary action. Based on this report, the police registered a case against the accused for the above-mentioned offences.

3. Heard Sri T. S. Anirudh Reddy, learned counsel appearing on behalf of the petitioner, and Sri M. Ramachandra Reddy, learned Additional Public Prosecutor appearing on behalf of the respondent-State.

4. Learned counsel for the petitioner submitted that the petitioner is innocent of the allegations and has been falsely implicated in the present case and that the petitioner is only a relative of the said accused and not connected with the alleged offences. He further submitted that except a bald allegation that the petitioner assisted Accused Nos.1 and 2, there are no specific overt acts attributed to him and that there is an inordinate and unexplained delay in registration of the crime, indicating that the case is an afterthought. He further contended that the main accused have already been arrested and the investigation is substantially completed and the petitioner is ready and willing to cooperate with the investigation. Hence, he prayed the Court to grant pre-arrest bail to the petitioner by allowing the present Criminal Petition.

5. On the other hand, the learned Additional Public Prosecutor opposed the submissions, contending that the allegations against the petitioner are serious in nature, that the investigation is at a nascent stage, and that custodial interrogation of the petitioner is necessary for effective investigation. Accordingly, he prayed for dismissal of the Criminal Petition.

6. In light of the submissions made by learned counsel for the petitioner and learned Additional Public Prosecutor and upon

perusal of the material available on record, it is noted that the petitioner is arrayed as Accused No.3 and is the brother of Accused No.2. As seen from the record, the main allegations are against Accused Nos.1 and 2, who have already been arrested. The allegations against the petitioner are that he also participated along with Accused Nos.1 and 2, misbehaved with the complainant, and subjected her to physical and sexual assault. The record further shows that the complainant voluntarily approached Accused No.1 for livelihood and employment, and there appears to be no abduction committed by the accused. Considering the nature of the allegations against the petitioner and his age, this Court deems it appropriate to grant pre-arrest bail to the petitioner, subject to the following conditions:

- i. The petitioner shall surrender before the Station House Officer, Malkajgiri Police Station, Medchal Malkajgiri District within two weeks from today, and on such surrender, the said Court shall release him on bail on executing a personal bond for Rs.25,000/- with two sureties, for the like sum each.
- ii. The petitioner 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 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.

7. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 23.04.2026

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