

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

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.5375 of 2026

DATE : 13.04.2026

Between:

Mahender and two others.

...Petitioners/Accused Nos.1 to 3

AND

The State of Telangana, Rep. by its Public Prosecutor,
High Court at Hyderabad.

...Respondent

ORDER:

This Criminal Petition is filed before this Court for grant of pre-arrest bail to the petitioners who are arrayed as accused Nos.1 to 3 in Crime No.154 of 2026 of Mokila Police Station, Future City District, initially registered for the offences punishable under Sections 118(1), 351(2), 352 r/w 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and later after receiving the injury certificate, Section 118(1) of the BNS was altered to 118(2) of the BNS.

2. The brief facts of the case are that, on 02.04.2026, the *de-facto* complainant lodged a report before the police stating that, on 02-04-2026 at about 10:00 AM, a dispute arose in Proddutur village over laying a new drainage pipe during road work. When the complainant and his brother objected, the accused Mahender and his family assaulted them with a shovel and stones, causing injuries, and also criminally intimidated them. During the incident, the complainant's gold chain went missing. Hence, the complainant requested to take necessary action. Based on the said complaint, the police registered a case against the petitioner for the aforementioned offences.

3. Heard Sri Naresh Verma Bavandlapelli, learned counsel appearing on behalf of the petitioners as well as Sri M. Ramachandra Reddy, learned Additional Public Prosecutor for respondent-State.

4. Learned counsel for the petitioners submitted that the petitioners are innocent of the said allegations and have been falsely implicated in the present case. It is further submitted that prior to the complaint lodged by the *de-facto* complainant, the petitioners had already

submitted a report to the police, which was not registered. It is further submitted that the petitioners sustained grievous injuries at the hands of the de-facto complainant and his family members, which was initially ignored by the police. Subsequently, a case was registered against the de-facto complainant vide FIR No.154 of 2026 for the offences under Sections 118(1), 351(2), 352 r/w 3(5) of the BNS. It is further submitted that incident is a result of a mutual quarrel wherein both the parties sustained injuries and that, in fact, de-facto complainant was the aggressor. Therefore, the custody of the petitioners is not required, as such, prayed the Court to grant bail to the petitioner by allowing this criminal petition.

5. On the other hand, learned Addl. Public Prosecutor opposing the petition stating that the allegations against the petitioner are grievous and heinous in nature. De-facto complainant and their family members sustained grievous injuries in the hands of the petitioner herein and injury certificate shows that the alleged injuries are grievous, as such the police have altered the Section 118(1) to 118(2) and that the material part of the

investigation is not yet completed. Therefore, he prayed the Court to dismiss the petition.

6. In the light of the submissions made by both the learned counsel and upon perusal of the material available on record, it appears that the petitioners herein are arrayed as accused Nos.1 to 3 and the petitioners herein have also lodged a report the police which was registered in the year, 2026, wherein de-facto complainant and their family members were arrayed as accused. The quarrel took place between the parties and both the parties sustained injuries. Considering the facts and circumstances of the case, the nature of the allegations, the stage of investigation, this Court deems it fit to grant pre-arrest bail to the petitioner, subject to compliance of the following conditions:

- i. The petitioner shall surrender before the Station House Officer, Mokila Police Station, Future City District, within two weeks from today, and on such surrender, the said Station House Officer shall release him on bail, on petitioner executing a personal bond for Rs.25,000/- (Rupees Twenty Five

Thousand only), 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 Monday between 09:00 a.m, and 05:00 p.m., till the filing of the charge sheet and thereafter, as and when required.

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 13.04.2026
SRK

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