

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.6127 OF 2026

DATE : 01.05.2026

Between:

Amer Ahmed @ Mohd Amer Ahmed & five others
....Petitioners/A.6 to A.11

AND

The State of Telangana

.....Respondent/
Defacto 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/A.6 to A.11 in the event of their arrest in connection with FIR No.89 of 2026 of Bhainsa Town Police Station, Nirmal District. The offences alleged against the petitioners are under Sections 109, 329(4), 189, 351(2) r/w.190 of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS').

2. The facts of the case are that on 03.04.2026 at about 11:30 PM, the complainant lodged a complaint before police stating that his wife had recently won the local body elections, due to which the accused persons, who had opposed them during the elections, developed deep-rooted grudge and enmity against him. It is alleged that on the night of 03.04.2026, while the complainant and his wife were walking inside their house compound, the accused persons formed an unlawful assembly, came from Momina Masjid Galli, forcibly trespassed into his house, and attacked them. The accused were allegedly armed with deadly weapons such as talwars, iron rods, and sticks. They assaulted the complainant, causing injuries to his nose, head, and other parts of the body, resulting in bleeding injuries. They also attempted to attack his wife and threatened to kill him and his family members. It is further alleged that neighbours and well-wishers, including Sayed Shakir and Shaik Wajid, who came to rescue them, also sustained injuries. The complainant stated that due to the timely intervention of local residents and elders, they were saved; otherwise, the accused would have killed him. Hence, he requested the police to take necessary action.

3. Heard Sri M.A.K.Mukheed, learned counsel appearing for the petitioners and Sri M.Ramachandra Reddy, learned Additional Public Prosecutor appearing for 1st respondent – State.

4. The contention of learned counsel for the petitioners is that petitioners have been falsely implicated in the present case and are not involved in the alleged offence either directly or indirectly. The police, acting on mere assumptions and presumptions, have arrayed the petitioners as A.6 to A.11 only to harass them and to satisfy local political interests. Learned counsel further submits that the complaint itself states that a group of persons entered the house of de-facto complainant and attacked him, without assigning any specific overt act or distinct role to the petitioners, and therefore the allegations are vague and omnibus in nature. It is also contended that though the complainant's house is covered by CCTV cameras, the police neither collected the CCTV footage nor properly examined witnesses, and despite absence of material evidence, falsely implicated the petitioners and shown them as absconding accused. It is submitted that the petitioners were not present at the place of occurrence and there is no substantial evidence

connecting them with the alleged offence. Learned counsel further contended that custodial interrogation is unwarranted in the absence of specific allegations. Reliance is placed on **Kailash v. State of Rajasthan**¹, wherein it was held that bail may be granted where allegations are general and no specific role is attributed to the accused. Further, the FIR appears to be an afterthought containing embellishments and exaggerations, thereby casting serious doubt on the genuineness of the prosecution case. Hence, prayed this Court to grant anticipatory bail to the petitioners.

5. On the other hand learned Additional Public Prosecutor opposed for grant of anticipatory bail contending that due to political rivalry the accused formed an unlawful assembly, trespassed into the complainant's house and attacked him with knives, rods and sticks causing bleeding injuries on his nose, head and body and his wife was also threatened by the accused. He further contended that the accused attempted to kill the complainant. If the petitioners are granted bail, they may threaten or influence the witnesses. Further, petitioner Nos.1, 3 and 5 are having criminal history. Hence, the offence committed

¹ (2008) 16 SCC 51

by the petitioners is serious in nature as such petitioners are not entitled to bail and prayed to dismiss this petition.

6. Considering the submissions made by the respective counsel and the material placed on record, it is seen that there are cases and counter cases between the parties. However, as informed to this Court, petitioner Nos.1, 3 and 5 are involved in criminal cases. Petitioner No.1-A.6 is involved in three cases, petitioner No.3-A.8 is involved in three cases and petitioner No.5-A.10 is involved in eight cases. As such, this Court is not inclined to grant bail to them. However, considering the allegations against petitioner Nos.2, 4 and 6 i.e., A.7, A.9 and A.11 this Court deems it appropriate to grant bail to them subject to following conditions :

- i. The petitioner Nos. 2, 4 and 6 shall surrender before the Station House Officer, Bhainsa Town Police Station, Nirmal 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. 2, 4 and 6 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. 2, 4 and 6 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 Nos. 2, 4 and 6 and dismissed insofar as petitioner Nos. 1, 3 and 5 are concerned.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 01.05.2026
Rds

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