

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SRI JUSTICE E. V. VENUGOPAL

CRIMINAL PETITION No.7426 of 2026

DATE: 14.05.2026

BETWEEN:

K. Narender Reddy

.....petitioner/accused

And

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

.....Respondent/complainant

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 in Crime No.57 of 2026 before the Wanaparthy Rural

Police Station, Wanaparthy District, registered for the offences punishable under Sections 115(2), 118(2), 352 of BNS.

2. The brief facts of the case are that the petitioner is the sole accused in Crime No.57 of 2026 of Wanaparthy Rural Police Station, registered initially for the offences punishable under Sections 115(2), 118(1), and 352 of BNS, and subsequently altered to Sections 115(2), 118(2), and 352 BNS pursuant to the receipt of a wound certificate opining grievous injury. The case arises from a complaint lodged on 12.04.2026 at about 10:00 hours by the de facto complainant alleging that on 11.04.2026 at about 8:30 p.m., while he was conversing with one Nagireddy at the latter's residence in Ankoor Village, the petitioner/accused, who is his younger brother, came there, abused him in filthy language, forcibly dragged him by pulling his shirt collar while he was sitting on a cot, assaulted him with hands and legs, beat him with a stick on his left shoulder, and pelted stones at him, thereby causing injuries to his left shoulder. He further alleged that there existed an ongoing dispute between the brothers regarding partition of ancestral house property and that due to the said dispute the accused intentionally assaulted the

complainant. On the basis of the said report, the Sub-Inspector of Police, Wanaparthy Rural Police Station, registered the above crime and took up investigation. During the course of investigation, the Investigating Officer examined LWs.1 to 4, conducted scene of offence panchanama in the presence of LWs.5 and 6, prepared a rough sketch, and incorporated the statements of witnesses into the case diary. Thereafter, on 17.04.2026, the police obtained a wound certificate from the Government District Hospital, Wanaparthy, wherein the injuries sustained by LW.1 were opined to be grievous and simple in nature. Basing on the said medical opinion, the Investigating Officer altered the Section of Law from Section 118(1) BNS to Section 118(2) BNS and submitted an alteration memo before the learned II Additional Judicial First Class Magistrate, Wanaparthy. The petitioner filed CrI.M.P.No.192 of 2026 before the Principal District and Sessions Judge, Wanaparthy seeking anticipatory bail, which came to be dismissed by order dated 29.04.2026.

3. Heard Sri Mohd. Rafeeq, learned counsel appearing on behalf of the petitioner as well as 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 and has been falsely implicated due to a long-standing civil dispute relating to partition of ancestral properties between the petitioner and the *de facto* complainant, who are real brothers. He would further submit that the parties had already arrived at a Panchayat settlement on or about 21.01.2026 in the presence of village elders, whereby the ancestral house bearing Door No.2-64 and other ancestral properties were divided into two equal portions, and despite such settlement, the *de facto* complainant has deliberately set the criminal law in motion only to harass and pressurize the petitioner to relinquish his legitimate share in the property. He would contend that the entire dispute is purely civil in nature and has been given a criminal colour. It is further contended that the FIR was originally registered only under Sections 115(2), 118(1), and 352 BNS, which are comparatively minor offences carrying lesser punishment, and subsequently the police mechanically altered the offence to Section 118(2) BNS solely on the basis of the medical

certificate. He contended that the alleged grievous injury, namely fracture to the left shoulder of the complainant, is fabricated and that a prior or unrelated injury has been falsely linked to the alleged incident in order to aggravate the offence and defeat the petitioner's claim for anticipatory bail. He further contended that the de facto complainant is working as an RTC Driver bearing Employee ID No.E211859 and has continuously attended his official duties even after the date of alleged incident, which according to the learned counsel completely demolishes the prosecution case that he sustained a grievous fracture injury. He further submitted that a person suffering from a fracture injury to the shoulder would not be physically capable of discharging the strenuous functions of an RTC driver, and therefore the medical opinion relied upon by the prosecution is highly doubtful and manipulated. The learned counsel further submitted that Section 115(2) BNS is punishable with imprisonment up to one year or fine or both, Section 352 BNS carries a punishment up to three months or fine, and Section 118(1) BNS carries a maximum punishment of three years, and even the subsequently added Section 118(2) BNS does not warrant custodial interrogation. He further contended that the Sessions Court, while dismissing

Crl.M.P.No.192 of 2026 on 29.04.2026, failed to properly appreciate the civil nature of the dispute, the doubtful nature of the medical evidence, the completion of investigation, and the conduct of the complainant in continuing his RTC duties despite claiming grievous fracture injuries. Therefore, he prays to grant anticipatory bail to the petitioner.

5. *Per contra*, the learned Additional Public Prosecutor opposed the grant of anticipatory bail and submitted that there are specific and categorical allegations against the petitioner showing his active involvement in assaulting the de facto complainant and that during the course of investigation the statements of the injured witness as well as eye-witnesses, namely LWs.2 to 4, were recorded under Section 180 BNSS, and all the witnesses consistently stated that the petitioner abused the complainant in filthy language, dragged him by his shirt collar from the cot, assaulted him with hands and legs, beat him with a stick on the left shoulder, and pelted stones at him, resulting in injuries. He would further submit that the investigation conducted by the police, including scene of offence panchanama and examination of witnesses, clearly established the role of the petitioner in the commission of the

offence. He further submitted that the dispute between the parties regarding partition of house property itself constituted the motive for the occurrence of offence and that merely because a civil dispute exists between the parties, the criminal acts committed by the accused cannot be trivialized or ignored. He further submitted that during investigation the Investigating Officer collected the wound certificate issued by the Government District Hospital, Wanaparthy, wherein the Medical Officer specifically opined that the injured sustained grievous and simple injuries, and therefore the Investigating Officer rightly altered the Section of Law from Section 118(1) BNS to Section 118(2) BNS by filing alteration memo dated 17.04.2026 before the learned Magistrate. It is contended that the medical evidence corroborates the ocular version of the complainant and witnesses. He also relied upon the dismissal order dated 29.04.2026 passed in CrI.M.P.No.192 of 2026 by the Principal District and Sessions Judge, Wanaparthy, wherein the Court, after considering the gravity of allegations and the stage of investigation, declined to grant anticipatory bail to the petitioner and that the allegations disclose commission of serious offences involving physical assault causing grievous injuries, and therefore custodial

interrogation of the petitioner may still be necessary for effective completion of investigation and recovery of material objects used in the commission of offence. Therefore, he prayed the Court to dismiss the Criminal Petition.

6. Having regard to the submissions made by both sides and upon perusal of the material available on record, it appears that though the prosecution alleges that the petitioner caused grievous injury to the de facto complainant and subsequently altered the offence from Section 118(1) BNS to Section 118(2) BNS on the basis of the wound certificate and the punishment prescribed for the offence under Section 118 (2) of BNS is 10 years, but the petitioner has specifically disputed the nature and genuineness of the alleged injury and contended that the de facto complainant has continued to attend his duties as an RTC Driver even after the alleged incident. At this stage, this Court is not inclined to render any finding on the correctness of the medical opinion, as the same is a matter for trial. Further, the investigation appears to be substantially completed and the material witnesses have already been examined. Therefore, considering the nature of allegations, the background of the dispute between the

parties, and the fact that custodial interrogation of the petitioner does not appear to be necessary, this Court deems it fit to grant anticipatory bail to the petitioner subject to the following conditions:

- i. The petitioner shall surrender before the Station House Officer, Wanaparthy Rural Police Station, Wanaparthy, within two weeks from today, and on such surrender, the said Station House Officer shall release him on bail on executing a personal bond for Rs.10,000/-, each 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., for a period of eight (8) weeks or till the filing of the charge sheet, whichever is earlier and thereafter, as and when required.

- iv. The petitioner shall surrender his passport, if any, before the concerned Court.
- v. The petitioner shall not directly or indirectly contact, threaten, induce, or influence the de facto complainant or any of the prosecution witnesses.
- vi. In the event of violation of any of the above conditions, the prosecution shall be at liberty to seek cancellation of bail in accordance with law.

7. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

E.V. VENUGOPAL, J

Date: 14.05.2026
SAI

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