

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

THE HONOURABLE SRI JUSTICE E.V.VENUGOPAL

CRIMINAL PETITION No.7723 of 2026

Date: 21.05.2026

Between:

Yerramandha Saikumar

..Petitioner/Accused No.10

And

State of Telangana,
rep. by its Public Prosecutor,
High Court for the State of Telangana,
Hyderabad.

..Respondent

ORDER:

1. This Criminal Petition is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking to grant anticipatory bail to the petitioner/accused No.10 in Crime No.213 of 2025, dated 01.11.2025, on the file of Narayanpur Police Station, Rachakonda Commissionerate, registered for the offences punishable under Sections 112(2) of BNS and Section 9(i) of Telangana State Gaming Act.

2. Heard Sri M.Arunn, learned counsel for the petitioner as well as Sri Arun Kumar Doddla, learned Additional Public Prosecutor appearing for the respondent -State.

3. Learned counsel for the petitioner would submit that the petitioner is arrayed as accused No.10 in FIR No.213 of 2025, dated 01.11.2025, on the file of Narayanapur Police Station, Rachakonda Commissionerate, registered for the offences punishable under Sections 112(2) of BNS and Section 9(i) of Telangana State Gaming Act. Learned counsel would further submit that though the alleged offences fall for consideration with less than 7 years of imprisonment as per the guidelines formulated by the Hon'ble Apex Court in **Arnesh Kumar v. State of Bihar**¹, but still the petitioner is being chased on the pretext of said FIR by altering the section of law to Section 111(2)(ii) of BNS. He would submit that the petitioner is always willing to cooperate with the investigation on the face of which the allegations made against the petitioner will not withstand the scrutiny of law as the petitioner has not involved in the said crime. He would submit that in the instant crime, accused No.1 was already granted anticipatory bail on 11.11.2025. Learned counsel

¹ (2014) 8 SCC 273

would submit that the section of law has been altered by the respondent-Police from Section 112(2) BNS to Section 111(2)(ii) of BNS wherein serious crimes have been specified under the provisions of the said Act. In the instant case, the allegations prima facie does not constitute to impose Section 111(2)(ii) as against the petitioner herein. By stating so, he sought to grant anticipatory bail to the petitioner herein.

4. Learned Additional Public Prosecutor while opposing the same, would submit that on careful examination of the complaint and upon investigation, since it has been elicited that the accused are continuously engaged themselves in violating the law and has been organizing the crime by conducting the three cards game as against the provisions of Telangana State Gaming Act and in order to curtail such kind of offences, Section 111(2)(ii) of BNS has been added in the remand case diary, which is a non-bailable offence and the punishment is life imprisonment. By stating so, he would seek to dismiss the criminal petition.

5. This Court, having heard the submissions made by the learned counsel for the petitioner as well as the learned Additional Public Prosecutor and upon perusing the material

placed before this Court, since accused No.1 was already granted anticipatory bail on 11.11.2025 wherein the remand case diary has been filed before the learned Trial Court by the respondent –Police on 01.11.2025 itself by altering the section of law. In so far as the applicability of Section 111(2)(ii) of BNS is concerned, it requires a detailed examination. *Prima facie* it appears that the said section of law is not applicable in the instant case based on the crime committed by the petitioner herein which would require further examination.

6. Considering the facts and circumstances of the case, this Court is inclined to grant pre-arrest bail to the petitioner herein subject to the following terms and conditions:-

- i. The petitioner shall surrender before the Station House Officer, Narayanapur Police Station, Rachakonda Commissionerate, 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.25,000/- with two sureties for 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 and Tuesday between 10:00 a.m, and 05:00 p.m., for a period of eight (8) weeks or till 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.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE E.V.VENUGOPAL

Dt. 21.05.2026

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