

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT  
HYDERABAD

THE HONOURABLE SMT. JUSTICE T.MADHAVI DEVI

CRIMINAL PETITION No.7813 of 2026

Date of Order: 21.05.2026

**Between:**

Sri Mothukupally Lingareddy

...Petitioner

And

The State of Telangana,  
Represented by its Public Prosecutor,  
Through S.H.O, P.S.Koyyur,  
High Court for the State of Telangana,  
Hyderabad.

...Respondent

**: O R D E R :**

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 are arrayed as accused No.1 in Crime No.45 of 2026 of Koyyur Police Station, registered for the offences punishable under Sections 308(5), 329(3) read with 3(5) of Bharatiya Nyaya Sanhitha, 2023 (for short 'BNS').

2. The brief facts of the case are that on 07.05.2026 at about 15:30 hours, the complainant, Thallapally Sammaiah, aged about 52 years, belonging to Goud community and resident of Mallampally Village, Malharrao Mandal, lodged a complaint stating that land admeasuring Ac.14.30 guntas in Survey Nos. 7/A, 8/A, 9/A, 10/A and 11/A situated at Mallampally Village belongs to their caste association namely “Kantamaheswara Sangam”. It is alleged that for the past seven months, the accused persons namely (1) Mothukupalli Lingareddy, (2) Vankudoth Lakpathi, and (3) Attem Santhosh were attempting to occupy the said land by ploughing it and cutting down palm trees standing therein. Whenever the complainant and members of the caste association questioned them, the accused allegedly abused, assaulted, and threatened them with dire consequences. The complaint further states that on 06.05.2026 at about 06:00 hours, the accused persons criminally trespassed into the land belonging to the caste association with blade tractors and deadly weapons, cut down palm trees, and ploughed the land. When the complainant along with Palakurthi Ravi, Macharla Odelu, Palakurthi Surrender, Pujari Karunakar and others went to the

spot and questioned the accused, the accused allegedly abused them, attempted to attack them with deadly weapons and blade tractors, and threatened them with an intention to forcibly occupy the land. It is further alleged that due to fear, the complainant and the caste members fled from the spot and escaped. The incident was allegedly witnessed by Palakurthi Vishnu, Palakurthi Sammiah and others. Based on the said allegations, the complainant requested the police to take necessary action in accordance with law. Hence, action was sought against the accused.

3. Heard Mr.D.Jagadishwar Rao, learned Counsel appearing on behalf of the petitioners as well as Mr.Vivekananda Reddy, learned Assistant Public Prosecutor appearing on behalf of the respondent-State.

4. The petitioner is accused No.1 in Crime No.45 of 2026 and accusation is that petitioner and two others have entered the land in Sy.Nos.7A, 8/A, 9/A, 10/A, 11/A at Mallampally village, which is in the name of complainant cast association and that they have tried to occupy the same by cutting down

the trees, therefore, the case has been registered under Section 308(5), 329(3) read with 3(5) of BNS.

5. Learned counsel for the petitioner submits that accused Nos.2 and 3 have already been granted regular bail by the trial Court and she is seeking anticipatory bail in respect of accused No.1. It is submitted that petitioner is no way concerned with said survey numbers and the accusation is false and frivolous. Therefore, he prayed for grant of pre-arrest bail by allowing the Criminal Petition.

6. On the other hand, learned Public Prosecutor opposed the grant of bail and submitted the case is registered under Section 308(5) of BNS, which attracts punishment of more than seven years. Therefore, at this stage, granting of pre-arrest bail to the petitioners does not arise. Hence, he prayed the Court to dismiss the criminal petition.

7. In the light of the submissions made by both the learned counsel, since the accused Nos.2 and 3 have already been granted regular bail, there is no reporting of the grievous injuries attracting under section 308(5) of BNS, this Court

deems it fit to grant pre-arrest bail to the petitioner/accused

No.1, subject to the following conditions:

- i. The petitioner shall surrender before the Station House Officer, Koyyur Police Station, Jayashankar-Bhupalpally District, within two weeks from today, and on such surrender, the said Station House Officer shall release them on bail on executing a personal bond for Rs.25,000/-, 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.

8. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

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JUSTICE T.MADHAVI DEVI

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