

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

THE HONOURABLE SRI JUSTICE E.V. VENUGOPAL

CRIMINAL PETITION No. 7811 of 2026

DATE: 21.05.2026

BETWEEN:

Nayakudu Santosh and thirty five others

.....petitioners/accused Nos.1 to 36

And

The State of Telangana,
Rep. by its Public Prosecutor,
High Court for the State of Telangana,
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 petitioners, who are arrayed as accused Nos.1 to 36 in Crime No.41 of 2026 before the Mupkal Police Station, Nizamabad District, registered for the offences punishable under Sections 126(2), 132, 189(2) r/w 190 of BNS.

2. Brief facts of the case are that, on 30.04.2026, the de-facto complainant lodged a report before the police stating that he stated that he has been working as SI of Police, PS Mupkal for the last five months. On 30.04.2026 at about 0800 hours he received information that the VDC members along with some of the villagers gathered at the bus stand place, in front of MRO Office road, Mupkal to construct the bus stand. They were obstructing vehicles passing on the road, which could lead to disputes. Immediately he along with ASI D.Chinna Gangaram, HC Ganapathi, PCs D.Lokessh, W.Sainath, Ch. Srinivas and M. Brahma went there. The villagers and VDC members formed into an unlawful assembly and were obstructing the vehicles. When they reached the said place at 08.10 hours and asked to disperse, they assaulted the police officers while they were discharging their lawful duties, stating that they intended to build the bus stand on the land belonging to Sri Bharath Bhushan of Mupkal. They also brought iron sheets using a Mahindra Yuvo tractor and trolley driven by Odde Poshetty, where poles had been erected three weeks earlier. When the police party asked them not to proceed, they ignored the instructions, assaulted the officers by pushing them and brought a welding machine to construct the bus stand with iron sheets on the poles.

When the police party tried to seize the welding machine, they obstructed them and continued construction with the help of welder - Pentu Gangadhar. Afterwards, they sat on the road and obstructed vehicles. At this location, there was a house belonging to Bharath Bhushan. Three years back, the VDC members had dismantled his house and illegally occupied the land. Hence, the complainant requested to take necessary action. Basing on the said complaint, the police registered a case for the above said offences.

3. Heard Sri D. Jagadishwar Rao, learned counsel appearing on behalf of the petitioners as well as Sri D. Arun Kumar, learned Additional Public Prosecutor appearing on behalf of the respondent – State.

4. Learned counsel for the petitioners submitted that the petitioners are innocent and have been falsely implicated in the present crime without any basis and that there are no specific overt acts attributed against the petitioners and no material is available to attract the offences alleged against them. He further submitted that the dispute arose on account of alleged erecting bus stand shed on the Government land in the village. Therefore, he prayed the Court to grant

pre-arrest bail to the petitioners by allowing this Criminal Petition.

5. Learned Additional Public Prosecutor opposed the bail petition contending that the allegations against the petitioners are serious in nature. Further, the investigation is not yet completed. 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.

6. In the light of the submissions made by both the learned counsel and upon perusal of the material available on record, it *prima facie* appears that, except a general allegation of involvement, no specific overt acts have been attributed against the petitioners and no material has been placed before this Court indicating their direct participation in the alleged incident. Having regard to the limited role attributed to the petitioners, and in the absence of any material indicating their active involvement in the alleged offences, this Court deems it fit to grant pre-arrest bail to the petitioners, subject to the following conditions:

- i. The petitioners shall surrender before
the Station House Officer, Mupkal

Police Station, Nizamabad 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 petitioners 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 petitioners 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 petitioners shall surrender his passport, if any, before the concerned Court.
- v. The petitioners 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: 21.05.2026
Tu/Su