

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

THE HON'BLE SRI JUSTICE SUDDALA CHALAPATHI RAO

CRIMINAL PETITION No.8149 of 2026

DATE : 04.06.2026

Between:

Sri Nibraboina Swamy and two (02) others.

...Petitioners/Accused Nos.1 to 3

AND

The State of Telangana, Rep. by P.P.H.C.,
Hyderabad, Telangana,
P.S., Shankarampet (R),
Medak District and another.

...Respondents/De facto Complainant

ORDER:

This Criminal Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 by the Petitioners/Accused Nos.1 to 3 seeking to grant anticipatory bail in connection with F.I.R.No.90 of 2026 of Shankarampet ® Police Station, Medak District, registered for the offences punishable under Sections 118(1), 115(2), 351(2) r/w Section 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. The case of the prosecution is that the de-facto complainant, namely, Yellolla Naveen Kumar, lodged a written report before the police on 28.04.2026 stating that on the same day at about 2:15 PM, they received information that the petitioners/accused are allegedly transporting soil illegally by using a JCB and tractors. It is alleged that when the *de facto* complainant, along with others, proceeded to the police station to report the said activity and questioned the accused persons near the police station regarding the illegal transportation of soil, the accused persons attacked him with a hand bracelet (kadiyam), sticks and stones, causing injuries to his eye, nose and other parts of the body. It is further alleged that when one Yema Chandram intervened, he was also assaulted and that the accused persons criminally intimidated the *de facto* complainant party with threats to kill them. As such, the *de facto* complainant requested the police to take necessary action against the accused persons. On receipt of the said complaint, the police registered a case in Crime No.90 of 2026 of Shankarampet (R) Police Station, Medak District, for the offences punishable under Sections 118(1), 115(2) and 351(2) read with Section 3(5) of the

Bharatiya Nyaya Sanhita, 2023, against the petitioners/accused Nos.1 to 3 and took up investigation.

3. Heard Sri Gundaram Manoj Goud, learned counsel appearing for the petitioners as well as Sri Jithender Rao Veeramalla, learned Additional Public Prosecutor appearing on behalf of the respondent No.1-State.

4. Learned counsel for the petitioners submitted that the petitioners are innocent of the allegations levelled against them and have been falsely implicated in the present crime. It is submitted that there are no specific overt acts attributed to the petitioners and that the complaint itself discloses that the de-facto complainant had allegedly received information regarding illegal transportation of soil and, on that basis, a false and concocted story has been foisted against the petitioners. It is further submitted that there are prior political disputes between the de-facto complainant and the petitioners and, with a view to harass them, the present complaint has been lodged. Learned counsel further submitted that the ingredients of the offences alleged are not attracted and that the offences are punishable with imprisonment of less than seven years. It is also submitted that the petitioners are law-

abiding citizens, agriculturists by occupation, having roots in society and are the sole breadwinners of their respective families. The petitioners apprehend arrest at the hands of the police and are ready and willing to cooperate with the investigation and abide by any conditions that may be imposed by this Court. Therefore, he prayed this Court to grant pre-arrest bail to the petitioners by allowing the present Criminal Petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioners, contending that the allegations leveled against the petitioners are severe and grave in nature. Learned Additional Public Prosecutor, on instructions, contended that the offence under Section 118(1) is altered to Section 118(2). He further submitted that the offence under Section 118(2) of BNS is punishable with imprisonment exceeding seven years. He further contended that, in view of the grievous injury caused by the accused Nos.1 to 3, and considering the severity of the offence, the petitioners are not entitled to be released on bail at this stage. Therefore, 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 is observed that there are specific and substantive allegations against Petitioners/accused Nos.1 & 2, who caused the injury to the de-facto complainant. However, no such specific allegations have been made against Petitioner No.3. Considering the overall facts and circumstances of the case, including the nature and gravity of the alleged offence, the stage of investigation, and the duration of incarceration, this Court deems it appropriate to grant bail to Petitioner/Accused No.3. The bail application of Accused Nos.1 & 2 is accordingly rejected. The grant of bail to Accused No.3 shall be subject to the following conditions:

(i). The petitioner/accused No.3 shall surrender before the Shankarampet (R) Police Station, Medak District, on or before 15.06.2026, and on such surrender, the said Station House Officer shall release Accused No.3 on bail on executing a personal bond for Rs.10,000/-, (Rupees Ten Thousand Only), each with two sureties, for the like sum each to the satisfaction of the Station House Officer concerned.

(ii) The petitioner/accused No.3 shall appear before the respondent-Police Authorities on every Sunday between 10.00 A.M. and 2.00 P.M. for a

period of four (04) weeks from enlargement on bail or till filing of the charge sheet, whichever is earlier, and shall cooperate with the Investigating Agency as and when they are directed to be present for investigation.

(iii) The petitioner/accused No.3 shall not hamper with the investigation and shall not in any way meddle with any of the witnesses and shall cooperate at all times whenever called by the Police for investigation.

(iv) The petitioner/accused No.3 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.

7. Accordingly, the Criminal Petition, insofar as petitioner No.3/accused No.3 is allowed, and dismissed insofar as petitioner Nos.1 and 2/accused Nos.1 and 2 are concerned.

Miscellaneous applications, if any pending, shall stand closed.

JUSTICE SUDDALA CHALAPATHI RAO

Date: 04.06.2026
ADT/DPM

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