

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HONOURABLE SRI JUSTICE N.TUKARAMJI

CRIMINAL PETITION No.8887 OF 2026

DATE : 23.06.2026

Between:

Praveen Kambala and Others

...Petitioners

AND

The State of Telangana

...Respondent

ORDER:

This Criminal Petition is filed under Section 482 of the *Bharatiya Nagarik Suraksha Sanhita*, 2023 (for short, "BNSS"), seeking the relief of anticipatory bail.

2. The petitioners are arrayed as accused Nos.1 to 8 in FIR No.126 of 2026 on the file of Geesgonda Police Station, Warangal, registered for the offences punishable under Sections 296(b), 126(2), 108 read with Section 3(5) of *Bharatiya Nyaya Sanhita*, 2023 (for short, "BNS").

3. Heard learned counsel appearing for the petitioners and Mr.Syed Yasar Mahmood, the learned Additional Public Prosecutor representing the respondent-State.

4.1. The prosecution case, in brief, is that disputes had been subsisting between the petitioners' Association/Society and the family of the de facto complainant concerning the right of user over a pathway allegedly providing access to the residence of the de facto complainant. It is alleged that on 16.04.2026, members of the petitioners' Association/Society laid a sewage pipeline across the said pathway, which was allegedly had been allotted for the use of the de facto complainant's family. Aggrieved thereby, the family members of the de facto complainant removed the pipelines.

4.2. It is further alleged that on 17.04.2026, the petitioners visited the residence of the de facto complainant and abused the father of the de facto complainant while asserting that the pathway stood registered in the name of the Association/Society. Subsequently, on 23.04.2026, accused No.1 allegedly obstructed the pathway by parking a tractor therein, thereby preventing ingress and egress to and from the residence of the de facto complainant. It is alleged that whenever the father of the de facto complainant attempted to come out of his house, members of the Association abused and humiliated him.

4.3. The prosecution alleges that, unable to withstand the continuous harassment and humiliation allegedly meted out by the petitioners, the father of the de facto complainant became mentally disturbed and depressed. On 25.04.2026, he is stated to have consumed Endrin tablets

in an attempt to commit suicide. Though he was immediately shifted to a hospital for medical treatment, he ultimately succumbed to the effects of the poison. Based on the complaint lodged by the de facto complainant, the present crime came to be registered against the petitioners.

5.1. Learned counsel appearing for the petitioners submits that the petitioners had, on 17.04.2026 itself, lodged a complaint against the de facto complainant, which was registered as a separate crime, specifically asserting that the disputed pathway belongs to the petitioners' Association/Society. It is contended that no effective progress has been made in the investigation of the said complaint and that, with a view to counteracting and nullifying those proceedings, the present case has been falsely foisted against the petitioners.

5.2. It is further submitted that there is an unexplained delay of approximately five days in lodging the present complaint, which casts serious doubt on the genuineness of the allegations and indicates the possibility of deliberation and embellishment. Learned counsel would contend that the Investigating Agency itself admits that the material witnesses have already been examined and that a substantial part of the investigation has been completed.

5.3. It is argued that, even assuming the allegations contained in the complaint to be true in their entirety, they do not prima facie constitute the

alleged offence, inasmuch as there is no allegation disclosing any direct act of instigation, intentional aid or active participation on the part of the petitioners immediately preceding the suicide. Learned counsel further submits that indiscriminate implication of all members of the Association/Society, without attributing specific overt acts to each accused, itself demonstrates the mala fide intention underlying the prosecution.

5.4. It is also submitted that the petitioners are permanent residents having deep roots in society, are willing to cooperate with the investigation in all respects, shall appear before the Investigating Officer as and when required, and undertake to abide by any conditions that may be imposed by this Court. On these premises, learned counsel seeks grant of anticipatory bail under Section 482 of the BNSS.

6.1. Per contra, learned Additional Public Prosecutor opposed the application contending that the complaint specifically attributes overt acts to the petitioners in persistently targeting and harassing the father of the de facto complainant, thereby making his life miserable. It is submitted that the deceased, having been subjected to repeated humiliation, abuse and obstruction of access to his residence, was left with no option but to take the extreme step of ending his life.

6.2. He further submits that investigation is still in progress; accused Nos.1 to 8 are not available at their native places; and their custodial presence is required for effective completion of the investigation. It is contended that, in the event anticipatory bail is granted, there exists a reasonable apprehension that the petitioners may evade investigation, influence or intimidate witnesses, and tamper with evidence. Accordingly, dismissal of the application is sought.

7. I have considered the rival submissions and have perused the material on record.

8. The allegations in the complaint disclose that the petitioners, acting as members of the Association/Society, allegedly abused the father of the de facto complainant and obstructed access to his residence by parking a tractor in the disputed pathway. It is further alleged that such conduct caused severe mental distress and humiliation to the deceased, ultimately culminating in his decision to commit suicide.

9. At the stage of considering an application for anticipatory bail, the Court is not expected to undertake a meticulous examination of the evidence or record findings on the merits of the accusations. The considerations governing grant of anticipatory bail are well settled by the Constitution Bench judgment in *Gurbaksh Singh Sibbia v. State of Punjab*, (1980) 2 SCC 565, and reiterated in *Siddharam Satlingappa Mhetre v.*

State of Maharashtra, (2011) 1 SCC 694, namely, the nature and gravity of the accusation, antecedents of the accused, possibility of fleeing from justice, likelihood of tampering with evidence, and the necessity for custodial interrogation.

10. Having regard to the totality of the circumstances, this Court finds that the allegations attributed to the petitioners primarily pertain to acts constituting, at their highest, offences relating to criminal restraint and use of abusive language, while the issue as to whether such conduct legally amounts to abetment of suicide would require a deeper examination during investigation and, if necessary, at trial. At this stage, no material has been placed before the Court demonstrating that custodial interrogation of the petitioners is indispensable for an effective investigation. The prosecution has not shown any compelling circumstance necessitating their pre-trial detention.

11. In view of the foregoing discussion, and balancing the interests of a fair investigation with the petitioners' fundamental right to personal liberty, this Court is of the considered opinion that the petitioners have made out a fit case for grant of anticipatory bail, subject to such conditions as may be imposed to secure their continued cooperation with the Investigating Agency and to ensure that the investigation proceeds unhindered, without any attempt on their part to influence witnesses or tamper with evidence.

12 Accordingly, the Criminal Petition is allowed. The petitioners shall be enlarged, subject to the following conditions:

(A) The petitioners/Accused Nos.1 to 8 shall surrender before the Station House Officer, Geesgonda Police Station, Warangal on or before 08.07.2026. Upon such surrender or in the event of arrest the Station House Officer shall release them on bail on execution of a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each, with two sureties for a like sum each, to the satisfaction of the said officer.

(B) The petitioners shall appear before the Investigating officer on every Tuesday and Saturday between 10.00 am and 03.00 pm for a period of twelve (12) weeks from the date of their release on bail and shall cooperate with the investigation in all respects.

(C) The petitioners shall furnish their complete residential addresses and contact details to the Investigating Officer and shall keep the same updated throughout the course of investigation.

(D) The petitioners shall not either directly or indirectly induce, threaten, influence, or contact any prosecution witness, nor shall he tamper with the prosecution evidence in any manner whatsoever.

13. It is made clear that any observations made herein are confined solely to the adjudication of the present application for anticipatory bail and shall not be construed as an expression on the merits of the case.

Miscellaneous applications, if any pending, shall stand closed.

N.TUKARAMJI, J

Date : 23.06.2026

CHS

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