IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HON'BLE JUSTICE B.R.MADHUSUDHAN RAO

CRIMINAL PETITION No.15671 of 2026

(CNR.No. HBHC010653652026)

DATE: 07.10.2026

BETWEEN:

Margam Laxman

.....Petitioner-Accused No.2

And

The State of Telangana,
Rep. by its Public Prosecutor,
High Court at Hyderabad,
Through PS Sircilla Town. ..Respondent-Complainant

ORDER

1. This Criminal Petition is filed under Sections 480 & 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') praying this Court to enlarge the petitioner on bail who is arrayed as accused No.2 in connection with FIR No.458 of 2026 of Sircilla Town Police Station, Rajanna Sircilla District. The offences alleged against the petitioner-A2 are punishable under Sections 103(1), 238(a), 49 r/w 3(5) of BNS.

2. Heard Sri P. Prabhakar, learned counsel for the petitioner and Sri D. Arun Kumar, learned Additional Public Prosecutor appearing for the respondent–State.

3. Learned counsel for the petitioner submits that the as per the prosecution's own version A1 allegedly took the deceased Vengala Venkatesham to the outskirts of Ragudu-Nemalla Gutta allegedly mixed Nytrop poison with whisky, made the deceased consume the same and he died, placed the alleged suicide note in the pocket of the deceased. The prosecution has not alleged that the petitioner-A2 has accompanied A1 to the place of occurrence on 06.08.2026. The entire alleged participation of the petitioner-A2 is substantially founded upon the alleged confession statement said to have been recorded by the police after apprehending him. The alleged mobile phone is in the custody of the police. There is no specific allegation that the petitioner-A2 went to the scene on 07.08.2026, saw the dead body, concealed the body or physically destroyed or disposed. The prosecution itself states that A3 to A5 allegedly visited the scene of offence and concealed the information regarding the dead body. A3 to A5 are enlarged on bail

by the learned trial Court on 11.08.2026 on conditions. Petitioner-A2 is in judicial custody since 11.08.2026. Entire investigation is completed, prayed to enlarge the petitioner-A2 on bail.

4. Learned Additional Public Prosecutor submits that the role played by the petitioner-A2 is clearly depicted in the remand case diary and is also evident from the panchanama.

5. V. Sulochana has lodged a report before P.S. Sircilla Town on 06.08.2026. It is stated in the complaint that her husband by name Vengala Venkatesham left the house on the above said date and did not return back. Basing on the said complaint, FIR came to be registered as Man Missing against unknown accused.

6. A1 was arrested on 10.08.2026 and produced before the concerned Magistrate for remand.

7. Petitioner-A2 along with A3 to A5 were arrested on 11.08.2026 and were produced before the concerned Magistrate for remand.

8. The learned trial Court has enlarged A3 to A5 on bail on 11.08.2026 itself.

9. Remand case diary goes to show that petitioner-A2, A3 to A5 deliberately concealed the fact that they had already seen the dead body with an intention to allow the dead body to decompose and thereby conceal destroy evidence and screen A1 from the offence. As stated supra A3 to A5 were enlarged on bail on the date of their remand itself.

10. The mobile phone used by the petitioner-A2 is seized under the cover of confession and recovery panchanama and is in the custody of the police.

11. Learned Additional Public Prosecutor has drawn the attention of the Court to confession-cum-recovery panchanama and pointed out the involvement of the petitioner-A2.

12. Record goes to show that substantial part of the investigation is completed and mobile phone of the petitioner-A2 is already seized under the confession-cum-recovery panchanama, detaining the petitioner-A2 further in judicial custody will not serve the purpose. Hence, petitioner-A2 is entitled to be enlarged on bail, subject to the following conditions:

i. The petitioner-A2 shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only), with two sureties for a like sum each to the satisfaction of the learned Principal Judicial Magistrate of First Class, Sircilla, Rajanna Sircilla District.

ii. The petitioner-A2 shall appear before the concerned SHO between 10 a.m. to 5 p.m., on every Sunday for a period of eight (8) weeks or till filing of charge sheet whichever is earlier, for the purpose of investigation, and thereafter, as and when required.

iii. The petitioner-A2 shall abide by the conditions stipulated in Section 437(3) of Cr.P.C.(presently, Section 480(3) of the BNSS).

iv. The petitioner-A2 shall not directly or indirectly influence, threaten, or induce any of the prosecution witnesses and shall not contact the victim.

v. It is made clear that if any of the conditions imposed by this Court are violated, the prosecution is at

liberty to file an application for cancellation of the bail.

13. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

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B.R.MADHUSUDHAN RAO, J

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