IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SRI JUSTICE N.TUKARAMJI

CRIMINAL PETITION No.16670 OF 2026

(CNR No. HBHC010697582026)

DATE: 26.10.2026

Between :

Taneeru Laxmi

... Petitioner/Accused No.2.

AND

The State of Telangana
Represented by Public Prosecutor,
High Court of Telangana at Hyderabad.

... Respondent.

ORDER:

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

2. The petitioner is arrayed as Accused No.2 in FIR No.1071 of 2026 on the file of KPHB police station, Cyberabad Commisionerate for the offences punishable under Sections 109,

118(1) r/w Section 3(5) of the *Bharatiya Nyaya Sanhita*, 2023 (for short, "BNS").

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

4. Briefly stated, the case of the prosecution is that the de facto complainant alleged that her younger brother/Accused No.1 had been quarrelling with her and her younger sister for approximately three years over disputes relating to a house and municipal water supply, in respect of which proceedings were already pending before the competent Courts. It is alleged that, during the said period, Accused No. 1 had been using the water supply intended for the complainant's house and had been threatening her family members. On 22.08.2026, at about 3:00 p.m., while a water connection was being installed at the complainant's house, Accused No. 1, his wife/Accused No. 2, their son/Accused No. 3 and the wife of Accused No. 3/ Accused No.4 allegedly entered into a quarrel with the complainant's family. When the complainant's father intervened, Accused No. 1 allegedly snatched a spade from the petitioner/Accused No. 2 and struck the victim on the head, causing a bleeding injury and

rendering him unconscious. It is further alleged that the accused assaulted the complainant and her family members with the intention of causing their death and inflicted injuries upon them. The injured victim was shifted to the hospital in a critical condition. Based on the report lodged by the de facto complainant, a crime was registered and the investigation was taken up.

5. Learned counsel for the petitioner submits that the petitioner/Accused No.2 has been falsely implicated due to longstanding family and property disputes. The specific allegation of inflicting the fatal head injury with a spade is against Accused No. 1, and no such overt act is attributed to the petitioner/Accused No. 2. It is further submitted that Accused No. 1 has been granted bail by the learned Sessions Court, while Accused No. 5 was granted interim protection from coercive steps by this Court on 31.09.2026 in Crl.P. No. 13991 of 2026, subject to cooperation with the investigation. The petitioner, being a permanent resident, is unlikely to abscond, tamper with evidence or influence witnesses. As custodial interrogation is unnecessary, she undertakes to cooperate with the investigation and abide by any conditions imposed by this Court. Accordingly, learned counsel seeks anticipatory bail.

6.1. Learned Additional Public Prosecutor opposes the petition on the ground that the allegations are grave. It is alleged that, following longstanding disputes over a house and municipal water supply, on 22.08.2026 at about 3:00 p.m., when a water connection was being installed at the complainant's house, Accused Nos. 1 to 4 quarrelled with the complainant's family. When the complainant's father intervened, Accused No. 1 allegedly struck him on the head with a spade which was in the hands of the petitioner/Accused No.2, causing a bleeding injury and loss of consciousness. The petitioner/ Accused No.2 and the other accused allegedly assaulted the complainant and other family members with their hands and feet and threatened them. One victim's mobile phone was allegedly taken away while the incident was being recorded, and other victims sustained minor injuries. The injured victim was shifted to hospital in critical condition but subsequently succumbed to his injuries, resulting in alteration of the offence to one punishable under Section 103(1) of the BNS. The investigation is still in progress.

6.2. The learned Additional Public Prosecutor further submits that Accused No. 2 participated in the assault on L.Ws. 2 and 3 and that her specific role, along with the applicability of Section 3(5) of the BNS, requires further investigation. In view of the

victim's death, the gravity of the allegations, the assaults and threats, and the ongoing investigation, dismissal of the petition is sought.

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

8. The offence was altered to Section 103(1) of the BNS following the victim's death during treatment. The gravity of the allegations is undeniable; however, the specific allegation of inflicting the fatal head injury with a spade is directed against Accused No. 1. The petitioner's alleged participation in the assault on L.Ws. 2 and 3 must be independently assessed on the material collected during investigation. Mere presence at the scene or relationship with Accused No. 1 does not, by itself, establish participation in the fatal assault.

9. In *Gurbaksh Singh Sibbia v. State of Punjab*, (1980) 2 SCC 565, and *Sushila Aggarwal v. State (NCT of Delhi)*, (2020) 5 SCC 1, the Hon'ble Supreme Court recognised the discretionary power of Courts to grant anticipatory bail, having regard to the facts and circumstances of each case and subject to appropriate conditions safeguarding the investigation.

10. Although the investigation is ongoing, the material presently placed before this Court does not demonstrate any specific recovery, discovery or investigative step necessitating the petitioner's custodial interrogation. Nor have the apprehensions of non-cooperation, witness intimidation or tampering with evidence been substantiated by specific material. While the gravity of the offence and the victim's death are relevant considerations, the pendency of the investigation alone does not establish that arrest and custodial interrogation are indispensable, particularly when the petitioner's presence and cooperation can be secured through appropriate conditions. The nature and present status of any other criminal cases, and their bearing on pre-arrest bail, require verification and assessment. Mere registration or pendency of such cases does not establish the petitioner's guilt in the present case. Likewise, the bail granted to Accused No. 1 and interim protection granted to Accused No. 5 are relevant only to the extent that their roles and circumstances are comparable to those of the petitioner.

11. In view of the foregoing, and without expressing any opinion on the merits of the case or the petitioner's ultimate culpability, this Court is inclined to allow the petition for anticipatory bail, subject to appropriate conditions ensuring the

petitioner's presence, cooperation with the investigation and protection of the investigation.

12. Accordingly, the Criminal Petition is allowed, subject to the following conditions:

a) Petitioner/Accused No.2 shall surrender before the Station House Officer, KPHB police station, Cyberabad Commissionerate on or before 10.11.2026. Upon such surrender, or in the event of her arrest, the Station House Officer shall release her on bail upon executing a personal bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only), with two sureties for a like sum each, to the satisfaction of the said officer.

b) The petitioner shall appear before the Station House Officer every Tuesday between 10:00 a.m. and 3:00 p.m. for a period of eight (8) weeks from the date of her release on bail and shall cooperate with the investigation in all respects.

c) The petitioner shall furnish her complete residential addresses and contact details to the Investigating Officer and shall keep the same updated throughout the proceedings before the trial court.

d) Additionally, the petitioner shall remain available as and when required by the investigating officer during the course of investigation.

e) The petitioner shall neither directly nor indirectly induce, threaten, influence, nor contact any prosecution witness, nor shall she tamper with the prosecution evidence in any manner whatsoever.

f) In the event of breach of any of the aforesaid conditions by the petitioner, the prosecution shall be at liberty to take appropriate steps seeking cancellation of bail.

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.

Pending miscellaneous applications, if any, shall stand closed.

N.TUKARAMJI, J

Date: 26.10.2026
mmr

THE HON'BLE SRI JUSTICE N. TUKARAMJI

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