IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HON'BLE JUSTICE B.R.MADHUSUDHAN RAO

CRIMINAL PETITION No.17744 OF 2026

CNR.No. HBHC010711182026

DATE: 05.11.2026

BETWEEN:

Chirumalla Koteshwar

... Petitioner – Accused No.1

And

The State of Telangana, though S.H.O.,
PS Neredmet
Represented by its Public Prosecutor, High Court,
Hyderabad.

... Respondent - Complainant

ORDER

1. This memorandum of Criminal Petition is filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) praying this Court to enlarge the petitioner – A1 on bail in connection with Crime No.866 of 2026 of P.S. Neredmet, Malkajgiri District. The offence alleged against the petitioner – A1 is under Section 105 of BNS.

2 Heard Sri CMR Velu, learned counsel for the petitioner – A1 and Sri D.Arun Kumar learned Additional Public Prosecutor appearing for the respondent – complainant.

3. Learned counsel for the petitioner submits that the police ought to have registered the crime under Section 106 of BNS instead they have registered the offence under Section 105 of BNS. Petitioner – A1 has no criminal antecedents and he hails from a respectable family, he will not abscond or tamper with the evidence or threaten the witnesses. Petitioner – A1 underwent hip surgery on 25.05.2025 at Kims-Sunshine Hospitals, Secunderabad and he needs physiotherapy every day. Petitioner – A1 is not a qualified medical professional and he being attached to the pharmacy rendered first aid to the deceased, at the relevant point of time there were no hospitals nearby and the first aid was very much necessary. Petitioner – A1 gave Joefar injection to prevent vomitings and injection pan for the acidity and administered saline for the time being to shift him to hospital. Petitioner – A1 is arrested and remanded to judicial custody on 10.10.2026, entire investigation is completed and prayed to enlarge the petitioner –A1 on bail.

4. Learned Additional Public Prosecutor submits that petitioner – A1 is a RMP doctor, which is depicted in the remand case diary and that PME report is awaited.

5. T. Seetha Ramulu has lodged a report before PS Neredmet, Malkajgiri District 09.10.2026. It is stated in the complaint that on

06.10.2026 he along with his friends Srinivas Nayak and Mohan came to Santhoshimaa Nagar on some work, he contacted his son in-law over phone and asked him to come for work however his son in-law by name Shyam Prasad informed him that he was currently working at Hayathnagar and expressed his willingness to come and work with them. Accordingly, Shyam Prasad came to Santhoshimaa Nagar on 08.10.2026. On 09.10.2026 between 08.00 and 10.00 hours himself, his son in-law and Mohan were working near a temple at Santhoshimaa Nagar. Suddenly Shyam Prasad developed vomiting. Srinivas Naik shifted him to Vamshi Medical Clinic for first aid, where the accused viz., K.Koteshwar Rao who allegedly has no medical experience, administered saline and two injections to Shyam Prasad. K.Koteshwar Rao informed Srinivas Nayak that he would take responsibility for Shyam Prasad's care and asked Srinivas Nayak to return to the clinic at about 13.00 hours and Srinivas Nayak went back to the clinic and found that Shyam Prasad was not moving. Basing on the said complaint FIR came to be registered against A1- K.Koteshwar Rao under Section 105 of BNS.

6. Petitioner – A1 is arrested and remanded to judicial custody on 10.10.2026.

7. Learned counsel for the petitioner – A1 submits that police ought to have registered the crime under Section 106 of BNS instead of Section 105 of BNS. This Court is not looking into the said aspect as the present petition is for grant of bail and has to be decided basing on the materials available on record.

8. Respondent has altogether examined 13 witnesses in support of the case.

9. Remand case diary goes to show that petitioner – A1 is working as RMP and running a clinic in the medical store of A2 without any qualification and he treated the deceased with knowledge that the act is likely to cause death.

10. PME report is awaited for filing the charge sheet. Since entire investigation is completed detaining the petitioner – A1 further in judicial custody will not serve the purpose. Hence the petitioner – A1 is entitled to be enlarged on bail on the following conditions:

i. The petitioner – A1 shall execute a personal bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only), with two sureties for a like sum each to the satisfaction of the concerned Court.

ii. The petitioner – A1 shall appear before the concerned SHO between 10.00 a.m. to 05.00 p.m., on every Sunday for a period of eight [08] weeks or till filing of charge sheet

whichever is earlier, for the purpose of investigation and thereafter as and when required.

iii. The petitioner – A1 shall abide by the conditions stipulated in Section 437(3) of Cr.P.C. (presently, Section 480(3) of the BNSS).

iv. The petitioner – A1 shall not directly or indirectly influence, threaten, or induce any of the prosecution witnesses.

v. In the event of violation of any of the above conditions, the prosecution is at liberty to file an application for cancellation of bail.

11. Accordingly, Crl.P.No.17744 of 2026 is allowed.

Miscellaneous petition/s, if any, pending shall stand closed.

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B.R.MADHUSUDHAN RAO, J

Date: 05.11.2026
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