IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

TUESDAY, THE THIRD DAY OF NOVEMBER
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE N.TUKARAMJI

CRIMINAL PETITION NO: 17768 OF 2026

Between:

B. Mahesh Babu, S/o. Sreenivasa Rao, Aged about 36 years, Occ: Business, R/o. Flat No. 2208, C-Block, Indies One City, Kukatpally, Medchal-Malkajgiri District.

...PETITIONER/ACCUSED

AND

The State of Telangana, represented By its public prosecutor, High Court Buildings, at Hyderabad.

...RESPONDENT

Petition under Section 482 of B.N.S., praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to grant Anticipatory Bail to the Petitioner in the event of his arrest in connection with FIR No. 1062 of 2026 Dt. 21/08/2026 on the file of Station House Officer, P.S. Kukatpally Housing Board, Medchal-Malkajgiri District.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Yeka Balasubrahmanyam, Advocate for the Petitioner and Sri. Syed Yasar Mamoon, Additional Public Prosecutor for the State of Telangana on behalf of the Respondent.

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HONOURABLE SRI JUSTICE N.TUKARAMJI

CRIMINAL PETITION No.17768 OF 2026

(CNR No.HBHC010744232026)

DATE: 03.11.2026

Between:

B.Mahesh Babu.

..Petitioner- accused

AND

The State of Telangana.

...Respondent

:ORDER:

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

2. Heard Mr.Yeka Balasubrahmanyam, learned counsel for the petitioner and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent-State.

3. The petitioner is arrayed as sole accused in Crime No.1062 of 2026 on the file of the Kukatpally Housing Board Police Station, Medchal, Malkajgiri District, registered for the offences punishable under Sections 336(3), 340(2), 318(4) of the Bharatiya Nyaya Sanhitha, 2023 (for short 'BNS') and Section 66-C, 66-D of the Information Technology Act-2000-2008.

4. Learned counsel for the petitioner submits that, although the petitioner is willing to cooperate with the investigation, he entertains a reasonable apprehension that coercive action may be taken against him. Such apprehension arises notwithstanding the fact that the offences alleged against his are punishable with imprisonment for a term of less than seven years and that the Investigating Agency has notice under Section 35(3) of the BNSS claimed to be served on petitioner not served properly or received by the petitioner. It is further submitted that the petitioner has no intention of evading the investigation and is ready and willing to participate in and extend full cooperation to the Investigating Officer. In the aforesaid circumstances, learned counsel confines the relief sought to a direction to the Investigating Agency to act in accordance with law by issuing a notice under Section 35(3) of the BNSS, thereby protecting the petitioner from any unwarranted coercive action.

5. The learned Additional Public Prosecutor opposed the petition. However, no specific reason has been put forward for not issuing a notice to the petitioner under Section 35(3) of the BNSS.

6. I have perused the material available on record.

7. Having considered the submissions advanced by the learned Additional Public Prosecutor, appearing on behalf of the prosecution, that the notice under Section 35(3) of the BNSS, was duly served on the petitioner, as well as the petitioner's contention that the said notice was not duly served on him and the fact that the offences alleged against the

petitioner are punishable with imprisonment for a term of less than seven years, and the petitioner's categorical undertaking to participate in and fully cooperate with the investigation, this Court considers it appropriate to extend to the petitioner the statutory safeguards contemplated under Section 35(3) of the BNSS, leaving all questions open for consideration by the Investigating Agency in accordance with law.

8. Accordingly, the petitioner-accused is directed to appear before the Station House Officer, Kukatpally Housing Board Police Station, Medchal, Malkajgiri District, within one week from the date of receipt of a copy of this order. Upon such appearance, the Investigating Officer shall issue a fresh notice to the petitioner under Section 35(3) of the BNSS in Crime No.1062 of 2026 is found proper and shall thereafter proceed strictly in accordance with law, duly adhering to the principles and guidelines enunciated by the Hon'ble Supreme Court in Arnesh Kumar v. State of Bihar, (2014) 8 SCC 273. The petitioner shall, in turn, extend full cooperation to the Investigating Officer during the course of investigation.

9. With the above direction, this Criminal Petition is disposed of. Pending miscellaneous applications, if any, shall stand closed.

SD/- B.REKHA RANI
ASSISTANT REGISTRAR

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SECTION OFFICER

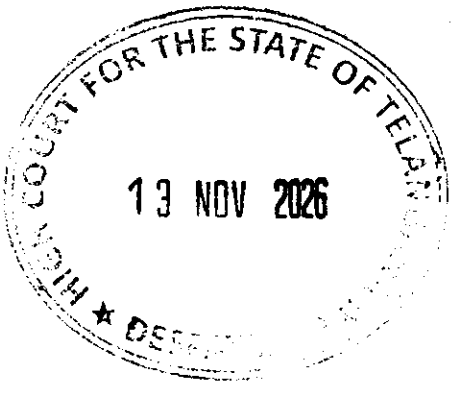
To

1. The IV Additional Judicial Magistrate of First Class at Kukatpally, Medchal-Malkajgiri District.
2. The Station House Officer, P.S. Kukatpally Housing Board, Medchal-Malkajgiri District.
3. Two CCs to Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
4. One CC to Sri. Yeka Balasubrahmanyam, Advocate [OPUC]

FIR
5. Two CD Copies

HIGH COURT

DATED: 03/11/2026



ORDER

CRLP.No.17768 of 2026

DISPOSING OF THE CRIMINAL PETITION

13/11/2026
9 copies