

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.999 of 2026

DATE: 19.02.2026

BETWEEN:

ELN Reddy and others

.....petitioners/accused Nos.1 to 3

And

The State of Telangana,
Rep. by its Public Prosecutor,
High Court for the State of Telangana
at Hyderabad and others.

.....Respondents/complainant

ORDER

This Criminal Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of pre-arrest bail to the petitioners, who are arrayed as accused Nos.1 to 3 in Crime No.34 of 2026 before the Film

Nagar Police Station, Hyderabad, registered for the offences punishable under Sections 3(i)(s)(r) of SC/ST POA Act, and Section 79 of BNS.

2. The brief facts of the case are that on 24.01.2026 at about 17:30 hours, the de-facto complainant lodged a complaint before the 2nd respondent stating that she had been working as a supervisor for the past six months at a construction site measuring 220 sq. yards at Flat No. 8-1-299/B/25, Madhura Hills, and that on 20.09.2025 at about 10:15 hours, when a quarrel arose between the adjacent plot owner and the owner of a 60 sq. yards construction site, she intervened and requested them to settle the issue amicably, whereupon the petitioners and others allegedly abused and insulted her in public by referring to her caste; at the time of the incident, G. Suresh and Jama Khan were present as witnesses.

3. Heard Sri Sri B. Suman Kumar, learned counsel appearing on behalf of the petitioners as well as Sri M. Ramachandra Reddy, learned Additional Public Prosecutor appearing on behalf of the respondent – State and Sri Nazir

Ahmed Khan, learned counsel appearing on behalf of respondent No.3.

4. Learned counsel for the petitioners submitted that the impugned crime was a counterblast to FIR No.586 of 2025, which had earlier been registered on the complaint of the 1st petitioner on 20.09.2025 at 14:00 hours against the employer of the *de facto* complainant and others for demolishing the compound wall belonging to the petitioners. He further submitted that there was an inordinate and unexplained delay of more than four months in registration of the impugned crime, which was lodged only after the *de facto* complainant filed a writ petition alleging inaction by the police. He contended that the petitioners were not present at the alleged scene of offence, that the case was false and foisted. Therefore, he prayed the Court to grant pre-arrest bail to the petitioners by allowing this Criminal Petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioners stating that the allegations leveled against the petitioners are serious in nature. Further, the investigation

was not yet completed and that the anticipatory bail is not maintainable since there is SC/ST Act. Therefore, at this stage, granting of pre-arrest bail to the petitioners does not arise. Hence, he prayed the Court to dismiss the criminal petition.

6. Learned counsel for respondent No.3 submitted that she belonged to the Scheduled Caste community and had lodged a complaint against the petitioners for intentionally insulting and humiliating her in the name of her caste, pursuant to which the crime was registered. He further submitted during the pendency of the crime, the petitioners were evading investigation by filing the present anticipatory bail petition and were simultaneously harassing and intimidating her through antisocial elements, pressuring her to compromise or withdraw the complaint and extending life threats. Therefore, he prayed the Court to dismiss the Criminal Petition.

7. In the light of the rival submissions made by the learned counsel on either side and upon perusal of the material available on record, it is evident that the principal contention of the learned counsel for the petitioners is that they have

been falsely implicated and that the present crime is a counterblast to Crime No.586 of 2025, which was admittedly registered on the complaint of petitioner No.1 in respect of the very same incident. It is not in dispute that there exist long-standing property and boundary disputes between the parties and that two complaints have been lodged in relation to the alleged demolition of the compound wall on 20.09.2025.

8. A perusal of the complaint would *prima facie* indicate that the dispute appears to be predominantly civil in nature arising out of property boundaries. Though allegations are made under Sections 3(1)(r) and 3(1)(s) of the SC/ST (POA) Act, the material presently placed before this Court does not *prima facie* disclose the essential ingredients to attract the said provisions, particularly the requirement of intentional insult or intimidation with intent to humiliate the de facto complainant in the name of her caste in a place within public view. It is also noted that the de facto complainant is not shown to be directly connected with the title or possession of the disputed property and appears to have intervened in the dispute between the neighbouring parties.

9. Having regard to the fact that the incident pertains to a property dispute, that there are case and counter-case arising out of the same transaction, and that the registration of the present crime was subsequent in point of time, this Court is of the considered view that the bar under Section 18 of the SC/ST (POA) Act would not operate when no *prima facie* case under the said Act is made out. Therefore, this Court deems it appropriate to grant pre-arrest bail to the petitioners subject to the following conditions:

- i. The petitioners shall surrender before the Station House Officer, Film Nagar Police Station, Hyderabad, within two weeks from today, and on such surrender, the said Station House Officer shall release them on bail on executing a personal bond for Rs.25,000/-, each with two sureties, for the like sum each.
- ii. The petitioners shall abide by the other conditions stipulated in Section 482(2) of Bharatiya Nagarik Suraksha

Sanhita, 2023 and co-operate with the Investigating Officer in investigating the case.

- iii. The petitioners shall appear before the concerned Investigating Officer on every Monday between 09:00 a.m, and 05:00 p.m., for a period of eight (8) weeks or till the filing of the charge sheet, whichever is earlier and thereafter, as and when required.

10. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

Date: 19.02.2026
SAI

K. SUJANA, J

THE HONOURABLE SMT JUSTICE K. SUJANA

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