IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.4719 of 2026

DATE: 15.04.2026

BETWEEN:

Kadire Nagaraju and another

.....petitioners/accused Nos.2 and 3

And

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

.....Respondent/complainant

ORDER

This Criminal Petition is filed praying this Court to enlarge the petitioners on bail who are arrayed as accused Nos.2 and 3 in Crime No.44 of 2026 before the Bijinapally

Police Station, Nagarkurnool District, registered for the offence punishable under Sections 103(1) read with 3(5) of BNS.

2. The brief facts of the case are that on 01.03.2026, the deceased and accused No.1 consumed toddy and quarreled, during which accused No.1 assaulted the deceased with a stick and stone, causing his death. Subsequently, during investigation, the petitioners were implicated alleging that they joined accused No.1, caught hold of the deceased, and participated in the assault leading to his death.

3. Heard Dr. N. Ravi Kumar, learned counsel appearing on behalf of the petitioner as well as Sri M. Ramachander Reddy, learned Additional Public Prosecutor appearing on behalf of the respondent – State.

4. Learned counsel for the petitioners submitted that the petitioners are falsely implicated, as their names do not find place either in the complaint or in the FIR, and they were introduced only in the remand report. He further submitted that there are no direct eyewitnesses and even the primary witnesses attribute the incident only to accused No.1. The prosecution story is inconsistent and appears to be fabricated.

He contendd that mere presence does not establish involvement, and the case against the petitioners is based on assumptions. The petitioners have no criminal antecedents, are in custody since 04.03.2026. Therefore, he prayed the Court to grant bail to the petitioner by allowing this Criminal Petition.

5. On the other hand, learned Additional Public Prosecutor opposes the bail application, contending that the petitioners actively participated in the commission of the offence along with accused No.1, forming a common intention to cause the death of the deceased. He further submitted that the statements of witnesses and material collected during investigation prima facie establish their involvement. At this stage, granting of bail to the petitioner does not arise. Therefore, he prayed the Court to dismiss the criminal petition.

6. In the light of the submissions made by both the learned counsel and upon perusal of the material available on record, it appears that the specific overt act of assault is primarily attributed to accused No.1, who is alleged to have caused the death of the deceased. The role attributed to the

present petitioners is that they allegedly caught hold of the deceased and assisted accused No.1 during the incident. The main allegations against the petitioners are thus based on the statements recorded during investigation, and the extent of their participation is a matter to be established during trial. Having regard to the nature of allegations, the material placed on record, and the fact that petitioner No.1 is alleged to have actively participated in the commission of the offence along with accused No.1, this Court is not inclined to grant bail to petitioner No.1 at this stage and the same is liable to be dismissed.

7. However, insofar as petitioner No.2 is concerned, considering that she is a woman, and considering the facts and circumstances of the case, this Court deems it fit to grant bail to the petitioner subject to the following conditions:

i. The petitioner No.2 shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each, with two sureties for a like sum each to the satisfaction of the Principal Sessions Judge, Nagarkurnool.

ii. The petitioner No.2 shall appear before the concerned SHO at 11:00 a.m., on every Monday for a period of eight (8) week or till filing of charge sheet whichever is earlier, for the purpose of investigation, and thereafter, as and when required.

iii. The petitioner No.2 shall abide by the conditions stipulated in Section 437(3) of Cr.P.C.(presently, Section 480(3) of the BNSS).

7. Accordingly, the Criminal petition is allowed in part in respect of petitioner No.2. However, the petition filed against petitioner No.1 is dismissed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

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SAI

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