

HON'BLE SMT. JUSTICE JUVVADI SRIDEVI

CRIMINAL PETITION No.12028 of 2024

ORDER :

Petitioner/accused has filed this petition under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhitha, 2023 (for short 'BNSS') seeking bail in Cr.No.129 of 2024 of Kanagal Police Station registered for the offence under Sections 109 of Bharatiya Nyaya Sanhita, 2023 (for short BNS).

2. Heard Mr.Sanjeeva Reddy Garlapati, learned counsel for petitioners and Sri M.Ramachandra Reddy, learned Additional Public Prosecutor appearing for the State and perused the record.

3. The allegation against the petitioner/accused is that accused bore grudge against the *de facto* complainant, who is working as a cashier in Kaveri wine shop at S.Lingotam, as he rejected to give beer bottles on credit and he became ferocious and threatened to kill him with dire consequences and uttered that he killed two persons earlier and having rowdy sheet and took a beer bottle from the counter and beat him over his head

with the beer bottle due to which beer bottle was broken into two pieces due to which blood oozed from his head.

4. Learned counsel for petitioner/accused submits that petitioner is innocent and was falsely implicated in this offence and he is no way connected with this offence. He further submits that the injury sustained by the *de facto* complainant is simple in nature and though the petitioner was involved in 6 other cases, he was enlarged on bail in all the cases and the petitioner is in jail since 15.09.2024 and entire investigation has been completed and charge sheet also filed and hence, prayed to grant bail.

5. The learned Additional Public Prosecutor, on the other hand, opposed the application stating that serious allegations are leveled against petitioner/accused and he was involved in 6 other cases and a rowdy sheet was filed on the accused and he is spreading his criminal activities in adjoining police station limits and indulging in offences frequently. He further submits that though the charge sheet is filed in this crime, if the petitioner is granted bail at this stage, he may tamper with the evidence and

threaten the witnesses and commit similar type of offences, and hence, prayed to dismiss the petition.

6. Having heard both sides and on perusal of material placed on record, it is evident that charge sheet is filed and the petitioner is in jail since 15.09.2024. In the said circumstances, this Court is inclined to grant bail to the petitioner/accused, subject to the following conditions:

- 1. The petitioner/accused shall be released on bail on his executing a personal bond for Rs.20,000/- each with two sureties for the like sum each to the satisfaction of III Additional Judicial Magistrate of First Class at Nalgonda.**
- 2. The petitioner/accused shall abide by the other conditions stipulated in Section 480 (3) Bharatiya Nagarik Suraksha Sanhitha, 2023.**

Petition is allowed accordingly.

JUVVADI SRIDEVI, J

Date: 25.10.2024

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