

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.13808 of 2024

ORDER:

This Criminal Petition is filed under section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for granting of pre-arrest bail to the petitioner who is arrayed as accused No.1 in Crime No.491 of 2024 of Shameerpet Police Station, Cyberabad.

2. The brief facts of the case are that on 28.07.2024, at about 20:00 hours, the petitioner and other accused went to the house of the *de-facto* complainant and started abusing him in filthy language. Thereafter, upon intervention, the petitioner takes step back in the dispute. However, on the very same day, at about 22:00 hours, the petitioner along with other accused attacked the *de-facto* complainant, due to which, both the *de-facto* complainant received injuries. Hence, a case was registered vide Crime No.491 of 2024 before the Shameerpet Police, Cyberabad, for the offences punishable under Sections 109, 352, 329(4) read with 3(5) of the BNS.

3. Heard Sri Pavan Kumar V Yadavalli, learned counsel appearing on behalf of the petitioner as well as Sri Syed Yasar Manoon, learned Additional Public Prosecutor appearing on behalf of the respondent-State.

4. Learned counsel for the petitioner submitted that the petitioner is no way concerned with the alleged offences. He further submitted that the *de-facto* complainant falsely implicated the petitioner in the case only to avoid the criminal proceedings against him in Crime No.490 of 2024. Hence, he prayed the Court to grant anticipatory bail to the petitioner.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner stating that the investigation is not yet completed, therefore, granting anticipatory bail to the petitioner, at this stage, does not arise. Hence, he prayed the Court to dismiss the criminal petition.

6. Having regard to the submissions made by both the parties and a perusal of the material placed on record, it is stated that the *de-facto* complainant falsely implicated the petitioner in the case only to avoid the criminal proceedings against him in Crime No.490 of 2024. Furthermore, the dispute arose between the parties when the petitioner tried to object some of the villagers, who were drinking alcohol, in his house construction site. Therefore, considering the facts and circumstances of the case, this Court is of the considered view that it is a fit case for granting of anticipatory bail to the petitioner.

7. Accordingly, this petition is allowed granting anticipatory bail to the petitioner subject to the following conditions:

- i. The petitioner shall surrender before the Station House Officer of P.S. Shammerpet, within two weeks from today, and on such surrender, the said Station House Officer shall release him on bail on executing a personal bond for Rs.20,000/- with two sureties, for the like sum each.
- ii. The petitioner 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.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 21.11.2024
gms

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.13808 of 2024

Date: 21.11.2024

gms