

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.14212 of 2024

ORDER:

This Criminal Petition is filed under section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of pre-arrest bail to the petitioners who are arrayed as accused Nos.5, 6, 7, 8 and 9 in Crime No.662 of 2024 of Mancheria Town Police Station, Ramagundam.

2. The brief facts of the case are that on 10.10.2021 at around 22.00 hours, the de facto complainant and his elder brother and his cousin brother were started from Hi Tech City, Macheria, during the journey they reached near to church, at Hamaliwad, one Suresh and Sharath two persons were intercepted took up quarrel with them unnecessarily by keeping previous grudges on their mind and attacked with sticks, rocks and stones on them along with some other persons in order to kill them. Based on the complaint, a case was registered vide Crime No.662 of 2024 before the Mancheria Town Police Station, Ramagundam, for the

offences punishable under Sections 126(2), 109, 351 (3), r/w 3(5) of BNS.

3. Heard Sri Siva Ramakrishna, learned counsel appearing on behalf of the petitioners as well as Sri Syed Yasar Manoon, learned Additional Public Prosecutor appearing on behalf of the respondent No.1-State.

4. Learned counsel for the petitioner *firstly* submitted that accused Nos.1 and 2 were released on bail vide Crl.M.P.No.379 of 2024, dated 5.11.2024 and Crl.M.P.No.338 of 2024, dated 23.10.2024 respectively. He *secondly* submitted that the petitioners are innocents and that they are no way concerned with the alleged offences. He *thirdly* submitted that all the material witnesses were examined, and further injuries are in simple in nature and they never accused of any wrong doing or were accused's of any crime. Therefore, he prayed the Court to grant of anticipatory 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 serious allegations are levelled against the petitioners and investigation is not yet completed,

therefore, granting bail to the petitioners, at this stage, does not arise. Hence, he prayed the Court to dismiss the criminal petition.

6. After considering submissions from both the parties and material available on record, since the injuries are simple in nature, the averments do not constitute the offences under Section 109. Further, accused Nos.1 and 2 are already released on bail and also witnesses were examined and material part of the investigation is also completed. 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 petitioners.

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

- i. The petitioner shall surrender before the Station House Officer of P.S. Mancheri, 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.25,000/- with two sureties, for the like sum each.

- ii. The petitioners shall appear before the concerned Station House Officer on every Monday between 9:00 A.M. to 5:00 P.M., for a period of eight (08) weeks or till filing of charge sheet whichever is earlier.
- iii. The petitioners shall abide by the other conditions stipulated in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 04.12.2024
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Date: 14.12.2024

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