

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.14531 of 2024

ORDER:

This Criminal Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioners/Accused Nos.1 to 9 seeking bail in the event of their arrest in connection with Crime.No.97 of 2024 before the Maganoor Police Station, Narayanpet District, registered for the offences punishable under Sections 118(1), 352, 351 read with 3(5) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS').

2. The brief facts of the case are that the complainant, a resident of Adavisatyaram village, Maganoor Mandal, lodged a complaint on 12.09.2024 stating that on 11.09.2024 at around 9:00 PM, he and another villager, by name P. Rathangpandu Reddy, were discussing the construction of the Sivalayam Temple in the village and during the discussion, a quarrel broke

out between the group of complainant and another group which was allegedly led by petitioner No.1 - Naidpi Lingappa, over the management of temple funds. The complainant alleged that petitioner No.1 and his associates attacked him and Rathangpandu Reddy with stones and sticks, causing them severe injuries. The complainant specifically named several individuals *viz* the petitioner Nos.2 to 9, as being involved in the attack. However, the petitioners/accused persons contend that they were not present at the time of the incident, and alleged that the relatives of complainant, including Shivaram Reddy, Navakanth Reddy, and others, attacked petitioner No.1, causing him severe blood injuries. Based on the complaint, the police registered Crime No. 97 of 2024. Aggrieved thereby, this criminal petition is filed.

3. Heard Sri Nambi Krishna, learned counsel for petitioners, and Sri Syed Yasan Manoon, learned Additional Public Prosecutor, appearing for respondent - State.

4. Learned counsel for petitioners submitted that the petitioners are innocent and have been falsely implicated in the case by the Police. He contended that the averments of the complaint do not disclose any specific set of allegations against the petitioners, and that the Police have failed to investigate the case properly. He asserted that petitioners are respectable citizens who have not committed any offence, and that the temple dispute, which is the alleged cause of the incident, had already been resolved by the village elders, and that there was no dispute between the complainant and the families of petitioners. He lamented that the ingredients of the offences as alleged against the petitioners under Sections 118(1), 352, 351(2) read with Section 3(5) of the BNS Act are not attracted to the facts of the case. He divulged that the Police failed to provide any evidence to support the allegations made against the petitioners. Therefore, while advocating that petitioners, who are the sole breadwinners of their families, will suffer irreparable loss and damage if they

are arrested, prayed this Court to allow the criminal petition, granting the relief of anticipatory bail, so as to protect them from arrest and harassment by the Police.

5. On the other hand, the learned Additional Public Prosecutor, vehemently opposed the submissions made by learned counsel for petitioners and contended that the petitioner was implicated in the case basing on receipt of complaint before the Police and that there are serious allegations against the petitioners who were allegedly involved in group quarrel. Therefore, while advocating that the investigation in the matter is not yet completed, prayed this Court to dismiss the criminal petition.

6. Having regard to the rival submissions made and on going through the material placed on record, it is noted that petitioners were allegedly involved in a group quarrel which resulted in causing injuries to several persons. However, it is imperative to note that the said injuries are simple in nature. Therefore, keeping in

mind the facts and circumstances of this case, this Court is of the opinion that anticipatory bail can be granted to the petitioners.

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

- i. The petitioners shall surrender before the Station House Officer of Maganoor Police Station, Narayanpet District, 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. Further, the petitioners shall appear before the Station House Officer Maganoor Police Station, Narayanpet District, on every Monday between

11 am., to 5 pm., till the filing of the charge sheet.

- iii. 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.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 05.12.2024
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