

THE HONOURABLE SRI JUSTICE E. V. VENUGOPAL

CRIMINAL PETITION No.15471 of 2024

ORDER :

Petitioners/accused Nos.1 and 3 have filed this petition under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhitha, 2023 (for short 'BNSS') seeking bail in Cr.No.134 of 2024 of Palakeedu Police Station, Suryapet District registered for the offences under Sections 333, 109, 309(4) of Bharatiya Nyaya Sanhita, 2023 (for short BNS).

2. Heard Mr.Shaik Karimulla, learned counsel for petitioners and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the State and perused the record.

3. The case of the prosecution is that on 27.10.2024 while the son of defacto complainant wore Ayyappa mala, this petitioner along with two others criminally trespassed into his house and attempted to kill his son by stabbing indiscriminately over his body parts and when the neighbours heard hues and cries of his son, the petitioners left from there by committing theft of his son's Aactiva moped.

4. Learned counsel for petitioner submits that the petitioner is languishing in jail from 30.10.2024 and would submit that the investigation is completed and charge sheet is yet to be laid before the competent Court. He would submit that the subject matter of the crime is to be determined only upon conducting thorough trial and hence seeks to grant relief as sought for to enlarge the petitioner on bail by imposing any conditions.

5. The learned Additional Public Prosecutor while opposing the same would submit that it is a serious matter wherein grievous injuries have been inflicted upon the petitioner and the knife which has been used to commit the offence has been recovered upon the confessions made by A1 and A2 in the presence of mediators LW's 13 and 14. Therefore would submit that it is not a fit case to grant bail.

6. Having heard learned counsel for the petitioners and learned Additional Public Prosecutor section 333 of BNS whether attracts or not can be determined only after conducting trial, subjecting the petitioner to continue in the jail is not

warranted. Accordingly, this Court is inclined to grant bail to the petitioners/accused Nos.1 and 3, subject to the following conditions:

- 1. The petitioners/accused Nos.1 and 3 shall be released on bail on their executing a personal bond for Rs.25,000/- each with two sureties for the like sum each to the satisfaction of Judicial Magistrate of First Class at Huzurnagar.**
- 2. The petitioners/accused Nos.1 and 3 shall abide by the other conditions stipulated in Section 480 (3) Bharatiya Nagarik Suraksha Sanhitha, 2023.**

Petition is allowed accordingly.

E.V. VENUGOPAL, J

Date: 27.12.2024
BV/LK