

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.1114 of 2025

ORDER:

This Criminal Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of pre-arrest bail to the petitioners, who are arrayed as accused Nos.1 and 2 in Crime No.03 of 2025 before the Kukunoorpally Police Station, Siddipet District, registered for the offences punishable under Sections 118(1), 115(2), 352 read with Section 3(5) of BNS.

2. The brief facts of the case are that one Mr. Srikanth Goud filed a complaint with the Kukunoorpally police, stating that his uncle/Accused No.1/petitioner No.1, and he had a long-standing land dispute due to which on 05.01.2025, at 5:40 am, his father, Dulam Raja Goud, was attacked by petitioner No.1 and his son/petitioner No.2, while he was squeezing milk in their cattle shed. The petitioners allegedly abused Srikanth's father in filthy language, beat him with a stick, and caused bleeding injuries. Based on this complaint, a crime was registered

against the petitioners for the offences as alleged, arraying them as accused. Aggrieved thereby, this Criminal Petition is filed.

3. Heard Sri S.Chalapathi Rao, learned counsel for petitioners, and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for respondent – State.

4. Learned counsel for the petitioners submitted that that the allegations against petitioners are false and intended to pressure them due to a pending civil suit between the parties, who are close relatives. He asserted that the petitioners, a Government school teacher and a student, respectively, deny committing any offences as alleged against them, and that the alleged injuries are simple in nature. Therefore, while advocating that the petitioners are willing to cooperate with the investigation, have a permanent address, and are ready to abide by any conditions imposed by the Court, prayed this Court to allow the criminal petition, granting the relief of anticipatory bail to the petitioners.

5. On the other hand, learned Additional Public Prosecutor submitted that the allegations leveled against the petitioners are serious in nature and that as per the complaint averments, the petitioners have abused the father of complainant in filthy language, beat him with a stick, which caused bleeding injuries to the victim. He lamented that even as per the injury certificate dated 05.01.2025 the victim has sustained simple, as well as, grievous injuries. Therefore, while advocating that the interrogation of petitioners is necessary, he prayed the Court to dismiss the criminal petition.

6. Having regard to the rival submissions made, on going through the material placed on record, it is noted that there is no doubt with regard to the fact that the father of complainant has sustained simple, as well as, grievous injuries. As per the averments of complaint, the petitioner No.1/accused No.1 has allegedly attacked the victim with sticks and beat him mercilessly, which resulted in the victim sustaining fracture injuries, and that the petitioner No.2/accused No.2 attacked the victim with hands. Keeping in mind the facts and circumstances of the case, this Court

is inclined to partly allow the criminal petition, granting the relief of anticipatory bail only to petitioner No.2, and not to petitioner No.1 as there are specific set of serious allegations against him.

7. In view thereof, this Court deems it fit to grant pre-arrest bail to the petitioner No.2/accused No.2 subject to the following conditions:

- i. The petitioner No.2 shall surrender before the Station House Officer, Kukunoorpally Police Station, Siddipet 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/- each, with two sureties, for the like sum each.
- ii. The petitioner No.2 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.

iii. The petitioner No.2 shall appear before the concerned Investigating Officer on every Monday between 09:00 a.m, and 05:00 p.m., till the filing of the charge sheet and thereafter, as and when required.

7. Accordingly, this Criminal Petition is partly allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 10.02.2025
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