

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.1532 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 petitioner, who is arrayed as accused No.2 in Crime No.190 of 2024 of Tekmal Police Station, Medak District.

2. The brief facts of the case are that de facto complainant lodged a complaint at Tekmal Police Station against the petitioner and other accused stating that on 30.12.2024, his family was attacked by their neighbors, including Ramavath Vittal, Rupia, Chander, and others, who broke into their house, beat them with sticks, and caused blood injuries. Sakiya's sister informed him about the incident via mobile phone.

3. Heard Sri G. Manoj Goud, learned counsel appearing on behalf of the petitioner as well as Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing on behalf of respondent - State.

4. Learned counsel for the petitioner submitted that the petitioner has been falsely implicated in the crime due to previous land disputes with the complainant's family and that the complaint lacks specific allegations and evidence, and the facts appear to be fabricated. He further submitted that the complaint does not meet the ingredients of the alleged offences and that the petitioner has been wrongly implicated due to a personal vendetta. As a farmer, the arrest of the petitioner and judicial custody would cause hardship to their family and result in significant loss. Therefore, he prayed the Court to grant bail to the petitioner by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor opposed the bail petition stating that the allegations leveled against the petitioner are serious in nature. Further, at this stage, granting of bail to the petitioner does not arise. Therefore, he prayed the Court to dismiss the criminal petition.

6. In the light of the submissions made by both the learned counsel and a perusal of the material available on record, the report filed by the de facto complainant shows that all the accused attacked the de facto complainant and broken

the house and beat with sticks and hands, whereas, there are no specific overt acts against the petitioner and as seen from the record, the de facto complainant, injured persons, panch witnesses were already examined. Considering the facts and circumstances of the case, this Court deems it fit to grant pre-arrest bail to the petitioner subject to the following conditions:

- i. The petitioner shall surrender before the Station House Officer, Tekmal Police Station, Medak 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. 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.
- iii. The petitioner 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, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand
closed.

K. SUJANA, J

Date: 18.02.2025
SAI

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