

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.1830 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.1 in Crime No.471 of 2024 of Bhongir Town Police Station, Rachakonda Commissionerate.

2. The brief facts of the case are that de facto complainant lodged a complaint against the petitioner and other accused stating that on 02.12.2024, he was assaulted by two unknown individuals while traveling from SLNS CT Scan Centre to EBR Hospital. One of the individuals approached him seeking directions, and the other attacked him from behind with a stick, causing a fracture to his right hand. The assailants fled on a scooty.

3. Heard Sri V. Rajender Rao, learned counsel appearing on behalf of the petitioner, and Sri Syed Yasar Mamoon,

learned Additional Public Prosecutor appearing on behalf of the respondent-State.

4. Learned counsel for the petitioner submitted that the petitioner was implicated based solely on the confessional statement of accused No.2, which lacks corroboration and is inadmissible as evidence. He further submitted that he will not abscond, will face trial, and abide by any conditions imposed by the court. He emphasizes that even if the allegations are true, the ingredients of Sections 109, 126(2), and 61(2) r/w 3(5) of the BNS do not apply to him. He further submitted that the petitioner is a permanent resident of Yadadri Bhuvanagiri District, assuring cooperation and no tampering with the investigation. Therefore, prayed this Court to grant pre-arrest bail to the petitioner by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor vehemently opposed the submissions made by learned counsel for petitioner, stating that the allegations leveled against the petitioner are serious in nature. At this stage, granting of pre-arrest 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 Court finds that the complaint and remand report do not allege any motive or suspicion against the petitioner. Given the completion of the material part of the investigation, this Court deems it fit to grant pre-arrest bail to the petitioner subject to compliance of the following conditions:

- i. The petitioner shall surrender before the Station House Officer, Bhongir Town Police Station, Rachakonda Commissionerate, 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, this Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

Date: 14.02.2025
SAI

K. SUJANA, J

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.1830 of 2025

Date: 14.02.2025
SAI