

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.2037 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.23 of 2025 before the Osmania University Police Station, City Division, Hyderabad, registered for the offences punishable under Sections 331(6), 118(1) read with 3(5) of BNS.

2. The brief facts of the case are that on January 18, 2025, at 16:00 hrs, M.Rahul Jashwanth Reddy, son of M. Ravinder Reddy, reported an incident where three unknown masked individuals trespassed into their residence, Plot No. 53, Ravinder Reddy Nagar Colony, and brutally attacked his father, M.Ravinder Reddy, in the bedroom. The attackers used a pillow, towel, stick, and iron rod, causing severe injuries, including fractures and lacerations, and allegedly stated, "Why are you troubling my sister from so many years?" before fleeing, assuming the

victim was dead. The victim regained consciousness, and Rahul shifted him to KIMS Hospital via 108 Ambulance, where he received treatment for his injuries. On receipt of the said complaint, the police registered case and implicated the petitioner in the said case. Aggrieved thereby, this Criminal Petition is filed.

3. Heard Sri J.Anjaneyulu, learned counsel for petitioner, and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for respondent – State.

4. Learned counsel for the petitioner submitted that the petitioner is innocent of the alleged offences and has been implicated in a false case. He contended that the allegations in the report are entirely fabricated and that the name of petitioner was not mentioned in the FIR or complaint, but was later included in the remand report with an ulterior motive. He asserted that the petitioner has no prior involvement in any crime and is a B.Tech graduate seeking to pursue higher studies, and that he will be jeopardized if he is implicated in this case. He lamented that the complainant's son initially named five other individuals as

the attackers, but the police nonetheless implicated the petitioner as Accused No.1. Therefore, while advocating that the petitioner is willing to furnish suitable security and abide by any conditions imposed by the Court, he prayed this Court to allow the criminal petition, granting the relief of anticipatory bail to the petitioner.

5. On the other hand, learned Additional Public Prosecutor submitted that the allegations leveled against the petitioner are serious in nature as the victim sustained grievous injuries. He contended that basing on the statement of other accused, this petitioner was implicated in the case as Accused No.1. Therefore, while advocating that the custodial interrogation of petitioner 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 the remand case diary of Accused Nos.2 to 4 would show that they are friends of petitioner and that the petitioner hatched plan stating that the *de facto* complainant harassed his aunt and that his aunt was staying away from her husband since

many years due to some difference between them and that again after some days the petitioner called accused No.2 and said that her aunt's husband is not changing and if he gets bedridden, his aunt may get back to him. Precisely, it was stated that on petitioner hatching the said plan, they covered the face of victim with blanket and closed his mouth and beat him with stick, however, when he pleaded, they left the place by tying his hands. Considering the same, it can be said that the petitioner was not present at the scene of offence. Merely basing on the confession of other accused, this petitioner was implicated in the case without any evidence. Therefore, 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, Osmania University Police Station, City Division, Hyderabad, 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/- (Rupees Twenty Five

Thousand only), 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 and Thursday 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.

K. SUJANA, J

Date: 21.02.2025
PT

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.2037 of 2025

Date: 21.02.2025

PT