

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.2397 of 2025

ORDER:

Seeking the Court to enlarge the petitioners in Crime No.28 of 2025 of Bhainsa Town Police Station, Nirmal District, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 28.01.2025, the accused persons, having developed old personal grudges over the *de-facto* complainant, besides beating him mercilessly, also threatened him with dire consequences. Hence, a case was registered *vide* Crime No.28 of 2025 before the Bhainsa Town Police, Nirmal District, for the offences punishable under Section 109 read with 3(5) of the BNS.

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

4. Learned counsel for the petitioners *firstly* submitted that the petitioners are innocent and they are no way concerned with the alleged offences. He *secondly* submitted that the *de-facto* complainant sustained simple injuries even as per the injury certificate. He *thirdly* submitted that all the

material witnesses were examined, and further detention of the petitioners is unnecessary. He *fourthly* submitted that the petitioners have been in judicial custody since 30.01.2025, causing undue hardship to their families. He *lastly* submitted that the petitioners are residents of Bhainsa Town, Nirmal District, with movable and immovable properties, and are willing to furnish sureties as directed and prayed the Court to grant bail to the petitioners by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioners stating that there are serious allegations against the petitioners and also investigation is not yet completed, therefore, granting bail to the petitioners, at this stage, does not arise. Hence, he prayed the Court to dismiss the criminal petition.

6. After considering submissions from both the parties and reviewing the record, it is apparent that as per the injury certificate, the injuries sustained by the *de-facto* complainant are simple in nature. Hence, since the petitioners are languishing in jail from 30.01.2025 and material part of investigation is also completed, this Court deems it fit to grant bail to the petitioners subject to the following conditions:

- i. The petitioners shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each, with two sureties for a like sum each to the satisfaction of the Judicial First Class Magistrate at Bhainsa Town, Nirmal District, Telangana State.
- ii. The petitioners shall appear before the concerned SHO at 11:00 a.m., on every Monday for a period of eight (8) week or till filing of charge sheet whichever is earlier, for the purpose of investigation, and thereafter, as and when required.
- iii. The petitioners shall abide by the conditions stipulated in Section 437(3) of Cr.P.C.(presently, Section 480(3) of the BNSS).

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 28.02.2025
gms

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