

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.2640 of 2025

ORDER:

Seeking the Court to enlarge the petitioners, who are arrayed as accused Nos.2 and 3 in Crime No.129 of 2025 of Nirmal Town Police Station, Nirmal District, on pre-arrest bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 17.02.2025, at around 11 pm in Gajolpet, Nirmal town, an incident occurred where three accused - Shoeb, Badruddin, and Imwan - allegedly attempted to murder Abdul Sajid, the brother of complainant Abdul Wajid. The accused stabbed Abdul Sajid with a sharp weapon, causing injuries to his stomach, back, left thigh, and other body parts, reportedly over a bike parking issue. Abdul Wajid took his injured brother to the hospital and filed a complaint the next day at 12 pm, citing delay due to the hospital visit.

3. Heard Sri S. Ravi Kiran Reddy, learned counsel appearing on behalf of the petitioners, and Sri Syed Yasar

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

4. Learned counsel for the petitioners submitted that the petitioners are innocent and falsely implicated in the case stating that the complaint filed against them under Section 109(1) r/w 3(5) of BNS lacks merit and evidence. He further submitted that the complaint is alleged to be false, motivated by harassment, and filed without proper investigation or verification of facts. He contended that there are no conclusive allegations or evidence against the petitioners and the police registration of the FIR is arbitrary. He further contended that allegations are baseless and treacherous, aimed at harassing the petitioners. Therefore, he prayed the Court to grant pre-arrest bail to the petitioners by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor vehemently opposed the submissions made by learned counsel for petitioners, stating that the allegations leveled against the petitioners are serious in nature and that the victim received severe stab injuries and he is still undergoing treatment. At this stage, granting of pre-arrest bail to the

petitioners 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, it appears that accused No.2 is the father of accused No.1, and accused No.3 is the brother of accused No.1. This petition is filed by accused Nos.2 and 3. Petitioner No.1/accused No.2, a 60-year-old with health issues, is not connected to the alleged offence, according to his counsel. Given his age and health, the Court grants pre-arrest bail to accused No.2 subject to certain conditions:

- i. The petitioner No.1 shall surrender before the Station House Officer, Nirmal Town Police Station, Nirmal 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 No.1 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.1 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 in part. Further, the petition against petitioner No.2/accused No.3 is dismissed. Petitioner No.2/accused No.3 is directed to surrender before the trial Court by filing an appropriate application.

Miscellaneous applications, if any pending, shall stand closed.

Date: 03.03.2025
SAI

K. SUJANA, J

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.2640 of 2025

Date: 03.03.2025
SAI