

THE HONONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.3043 of 2025

ORDER:

This Criminal Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhitha, 2023 (for short 'BNSS') seeking anticipatory bail to the petitioners/accused Nos.1 to 5 in Crime.No.19 of 2025 on the file of the P.S. Kadam, Nirmal District, registered for the offences punishable under Sections 296(b), 115(2), 118(1), 351(2), 108 r/w 62 r/w 3(5) of Bharatiya Nyaya Sanhitha, 2023 (for short 'BNS').

2. The case of prosecution in brief is that on 08.02.2025, the *de-facto* complainant has lodged a complaint against the petitioners, alleging that his daughter called him on 07.02.2025 at 11.30 PM and informed him that her husband has attended a marriage and in which the petitioners beat him with hands and beer bottles and kicked him, due to which he has attempted to commit suicide by drinking

pesticide. Basing on the same a case was registered in Crime No.19 of 2025.

3. Heard Sri Alluri Divakar Reddy, learned counsel for petitioners and learned Assistant Public Prosecutor for the respondent-State.

4. Learned counsel for petitioners submits that subsequent to filing of this criminal petition, petitioner Nos.1, 2, 4 and 5/accused Nos.1, 2, 4 and 5 were arrested and produced before the concerned Magistrate and enlarged on bail on the same day. Hence, the grievance of petitioner Nos.1, 2, 4 and 5/accused Nos.1, 2, 4 and 5 is no more in existence. Insofar as petitioner No.3 is concerned, he has not committed any offence and he was falsely implicated in the above crime.

5. *Per contra*, learned Additional Public Prosecutor has not disputed the submission made by the learned counsel for petitioners that petitioner Nos.1, 2, 4 and

5/accused Nos.1, 2, 4 and 5 were arrested and produced before the concerned Magistrate and they were enlarged on bail on the same day. He further submitted that petitioner No.3/accused No.3 is not entitled for grant of anticipatory bail and hence, prayed to dismiss the petition.

6. Having heard both sides and perused the record, it is not in dispute that petitioner Nos.1, 2, 4 and 5/accused Nos.1, 2, 4 and 5 were already enlarged on bail in the above crime.

7. Taking into consideration of the above facts, this Court is of the considered view that petitioner No.3/accused No.3 is also entitled for grant of anticipatory bail, subject to the following conditions:

1. The petitioner/accused No.3 shall surrender before the Station House Officer of P.S. Kadam, Nirmal District within two weeks from today, and on such surrender, the said Station House Officer shall release the petitioner No.3/accused No.3 on bail on his executing a personal bond for

Rs.20,000/- (Rupees Twenty Thousand only) with two sureties, for the like sum each.

2. The petitioner/accused No.3 shall abide by the other conditions stipulated in Section 482 (2) Bharatiya Nagarik Suraksha Sanhitha, 2023 and co-operate with the Investigating Officer in investigating the case.

7. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

JUSTICE J.SREENIVAS RAO

Date: 10.03.2025
vsl