

THE HONONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.3475 of 2025

ORDER:

This Criminal Petition is filed under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) seeking bail to the petitioners/accused Nos.5 and 6 in Crime.No.127 of 2025 of Uppal Police Station, Rachakonda Commissionerate, registered for the offences punishable under Section 118(1) read with 3(5) of Bharatiya Nyaya Sanhita, 2023 (BNS).

2. The case of prosecution in brief is that on 25.01.2025, the *de-facto* complainant lodged a complaint against the petitioners and others stating that on 24.01.2025, at about 19:00 hours, while he was walking in front of his house by using his mobile phone along with his friend, the accused persons came in a car behind him and beaten with sticks on his head, due to which, he received bleeding injury. Basing on the same, Crime No.127 of 2025 was registered.

3. Heard Mr.B.Manav Kumar, learned counsel representing Mr. N.Avaneesh, learned counsel for the

petitioners, and learned Assistant Public Prosecutor for the respondent-State.

4. Learned counsel for the petitioners submitted that petitioners are innocent and they have not committed any offence and they were falsely implicated in the said crime. He further submitted that the petitioners were remanded to judicial custody on 30.01.2025 and since then they were in jail. Initially the crime was registered for the offence under Section 119 read with 3(5) of BNS and subsequently the same was altered to 109(1) and 61(2) of BNS. He further submitted that the *de facto* complaint received simple injuries and the petitioners are not involved in any other crime and accused Nos.3 and 7 were already enlarged on bail. The petitioners are ready to abide the conditions, which are going to be imposed by this Court and also cooperate with the investigation. Hence, the petitioners are entitled for grant of bail.

5. *Per contra*, learned Assistant Public Prosecutor has not disputed that the petitioners are not accused in any crime. He further submitted that the investigation is under progress.

Hence, at this stage, the petitioners are not entitled for grant of bail.

6. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that the petitioners were arrested on 30.01.2025 and since then, they were in judicial custody. Taking into consideration the fact that material part of the investigation is completed and accused Nos.3 and 7 were already enlarged on bail, this Court is inclined to grant bail to the petitioners/accused Nos.5 and 6, subject to the following conditions:

- (i) The petitioners shall execute personal bonds 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 VI Additional Metropolitan Magistrate, Medchal-Malkajgiri District at L.B.Nagar.
- (ii) The petitioners shall appear before the concerned SHO at 11.00 A.M. on every Monday, for a period of eight (8) weeks 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 483 (3) of BNSS.

7. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

J.SREENIVAS RAO, J

Date: 17.03.2025

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