

THE HONONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION Nos.3990 and 3989 of 2025

COMMON ORDER:

Since these criminal petitions are arising out of Crime No.168 of 2025, these criminal petitions are heard together and disposed of by this common order.

2. These Criminal Petitions are filed under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhitha, 2023 (for short 'BNSS') seeking bail to the petitioners/accused Nos.1 and 2 in Crime No.168 of 2025 on the file of P.S.Panjagutta, Hyderabad, registered for the offences punishable under Sections 110 and 125(a) of Bharatiya Nyaya Sanhitha, 2023 (for short 'BNS') and Sections 184 and 185 of Motor Vehicle Act, 1988.

3. The case of the prosecution is that on 04.03.2025, at about 23:30 hours, on a public way, i.e., opposite to Mukesh Medical Store, opposite to NIMS main gate, in the limits of Panjagutta Police Station, the two wheeler driven by the accused hit the *de-fact* complainant hard, due to which he fell down on road and

sustained bleeding injury, Basing on the same a case was registered in Crime No.168 of 2025.

4. Heard Mr.Syed Osman, learned counsel for the petitioners and Mr.Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for respondent-State.

5. Learned counsel for the petitioners submitted that petitioners have not committed alleged offence and they were falsely implicated in the above crime. He further submitted that the offences leveled against the petitioners are punishable with an imprisonment of less than seven years and inspite of the same, the Police without following the procedure laid down under Section 35(3) of BNSS (Previously Section 41-A of Cr.P.C.) arrested the petitioners on 05.03.2025 and since then, they were in judicial custody. He further submitted that petitioners are ready to abide the conditions, which are going to be imposed by this Court and hence, prayed for grant of bail.

6. *Per contra*, learned Additional Public Prosecutor submitted that specific allegations are leveled against the petitioners and the

investigation is under progress. He has not disputed the submission made by the learned counsel for the petitioners that the offences leveled against the petitioners are punishable with an imprisonment of less than seven years.

7. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that, Police without following the procedure laid down under Section 35(3) of BNSS (Previously Section 41-A of Cr.P.C.) arrested the petitioners on 05.03.2025 and since then they were in judicial custody.

8. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant bail to the petitioners/accused Nos.1 and 2, subject to the following conditions:

(i) The petitioners/accused Nos.1 and 2 shall execute a personal bond for a sum of Rs.15,000/- (Rupees fifteen Thousand only) each with two sureties for a like sum each to the satisfaction of XIV Additional Chief Judicial Magistrate at Nampally, Hyderabad.

(ii) The petitioners/accused Nos.1 and 2 shall appear before the concerned SHO at 11.00 A.M. on every Monday, for a period of eight (8) weeks, commencing from 07.04.2025 or till filing of charge sheet whichever is earlier, for the purpose of investigation and thereafter, as and when required.

iii) The petitioners/accused Nos.1 and 2 shall abide by the conditions stipulated in Section 483 (3) of BNSS.

8. Accordingly, the Criminal Petitions are allowed.

Miscellaneous applications, pending if any, shall stand closed.

JUSTICE J.SREENIVAS RAO

Date: 26.03.2025

vsl