

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.4333 of 2025

ORDER:

This Criminal Petition is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') by the petitioner, who is arrayed as accused No.9, seeking anticipatory bail in Crime No.530 of 2025 of Narsingi Police Station, Ranga Reddy District, registered for the offence punishable under Section 109 r/w 61(2) of the Bharatiya Nyaya Sanhita, 2023 (BNS) and Section 3(2)(v) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short 'the SCs' & STs' (POA) Act').

2. The case of prosecution in brief is that on 16.03.2025 at 21:45 hours, the victim's statement was recorded by the Sub-Inspector. The victim, a cricket coach, stated that on 15.03.2025 at 23:00 hours, he received a call from Tharun informing him of an assault at Broadway near Kalimandir. He rushed to the spot but the assailants had fled. While talking to Tharun at Pista House in Aziz Nagar, the assailants returned and attacked Tharun again. He

intervened and dispersed them. Residents of Kalimandir, Venu Mudiraj, Anil, Nani, Srujan, and Shailesh continued provoking the matter through calls. On 16.03.2025 at 13:00 hours, a meeting was held at Goldfish Venture, Manchirevula. Around 15:00 hours, as they were leaving near Ocean Park, Kokapet, they were obstructed and attacked by Venu and others using cricket wickets, beer bottles, and stones. Venu also verbally abused the complainant with casteist slurs, referring to him as belonging to the "tower" community. The complainant suffered bleeding injuries to his head, hands, and legs, was taken to Freedom Hospital, and later shifted to Continental Hospital for advanced care. On such statement the case, Crime No.530 of 2025 was registered.

3. Heard Ms.Pole Monica Pradeepkumar, learned counsel for the petitioners and Mr.Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for respondent-State.

4. Learned counsel for the petitioner submitted that the petitioner is innocent person and he did not commit the alleged offence and he was falsely implicated in this crime. She further submitted that even according to the allegations made in the

complaint the ingredients of Section 109 of BNS are not attracted against the petitioner and the petitioner never abused the complainant in the name of case and the petitioner is not aware about the caste of the complainant, hence, offence under Section 3(2)(v) of SCs' & STs' (POA) Act are not attracted against the petitioners. She further submitted that the petitioner is a student pursuing Degree in Vignan Degree College and he is not having any other criminal antecedents and the material part of the investigation is completed, except filing of charge sheet and the petitioner is ready to cooperate with the investigation and also ready to abide by the conditions, which are going to be imposed by this Court and hence, prayed for grant of anticipatory bail.

5. *Per contra*, learned Additional Public Prosecutor submitted that specific allegations are leveled against the petitioner and investigation is under progress and if the petitioner is granted anticipatory bail at this stage, he may tamper with the evidence and may threaten the witnesses, and hence, prayed to dismiss the petition.

6. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that the petitioner is a student pursuing Degree in Vignan Degree College and material part of the investigation is completed, except filing of charge sheet. Even according to the learned Additional Public Prosecutor, petitioner is not having any other criminal antecedents.

7. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner/accused No.9, subject to the following conditions:

1. The petitioner/accused No.9 shall surrender before the Station House Officer of P.S. Narsingi, Cyberabad, on or before 23.04.2025, and on such surrender, the said Station House Officer shall release the petitioner/accused No.9 on bail on his executing a personal bond for Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties, for the like sum each.
2. After release, the petitioner/accused No.9 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.

3. The petitioner/accused No.9 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.

8. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

JUSTICE J.SREENIVAS RAO

Date:17.04.2025

vsl