

THE HON'BLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.4602 of 2025

ORDER:

This criminal petition is filed by the petitioner/A7 under Section 482 of Bharatiya Nagrik Suraksha Sanhita (BNSS) for grant of anticipatory bail to him in Crime No.231 of 2024 of Adilabad Rural Police Station, Adilabad District, registered for the offence punishable under Sections 61(2)(a) and 109(1) read with Section 3(5) of Bharatiya Nyaya Sanhitha, 2023 (BNS) and Section 25(1)(A) of the Arms Act.

2. The case of the prosecution is that on 21.11.2024 at about 17:00 hours, on receipt of credible information about transporting of arms and weapons illegally, the police conducting raid at the vehicles coming from Nagpur and seized Car bearing No.TS 07 JQ 9592 as the accused persons are transporting weapons illegally. Accused No.1 with the help of other accused procured the weapons and arms for killing one Srikanth Chary as he is having threat to his life because of him. Basing on the said complaint,

Crime No.231 of 2024 was registered for the above said offences.

3. Heard Sri R. Sridhar, learned counsel for the petitioner and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent.

4. Learned counsel for the petitioner submits that the petitioner has not committed the offence and he was falsely implicated in the present crime. He further submits that the ingredients of Sections 61(2)(a) and 109(1) of BNS are not applicable to the petitioner as there are no specific allegations against him. He further submits that the other accused were already arrested and enlarged on bail. The petitioner is not having any criminal antecedents and is ready and willing to cooperate with the investigation and also abide by the conditions that are going to be imposed by this Court.

5. Per contra, learned Additional Public Prosecutor submits that there are serious allegations against the petitioner and that investigation is not yet completed. At this stage, if the petitioner is granted bail, there is every

chance of influencing the witnesses and also interfering with the investigation.

6. Having considered the rival submissions made by both the parties and after perusal of the material available on record, it reveals that the other accused were already arrested and enlarged on bail. Even according to the learned Additional Public Prosecutor, the petitioner is not having any criminal antecedents and he is not involved in any crime as an accused.

7. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner on the following conditions:

(1) The petitioner/A7 is directed to surrender before the Station House Officer, Adilabad Rural Police Station, Adilabad District, on or before 11.04.2025.

(2) On such surrender, the Station House Officer shall release the petitioner on bail on his executing a personal bond for a sum of Rs.30,000/- (Rupees

Thirty Thousands only) with two sureties for a like sum each to the satisfaction of the said officer.

(3) On such release, the petitioner/A7 shall appear before the Station House Officer, Adilabad Rural Police Station, Hyderabad, on every Monday at 11:00 a.m., 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 for investigation.

(4) After release, if the petitioner commits the very same offence, the respondent State is at liberty to file an application seeking cancellation of the bail granted by this Court.

(5) The petitioner/A7 shall abide by the conditions stipulated under Section 438(2) of the Criminal Procedure Code, 1973/Section 482 of BNSS and shall cooperate with the investigation officer for conclusion of investigation.

8. Subject to the above directions, the criminal petition is allowed. No costs.

Pending miscellaneous applications, if any, shall stand closed.

JUSTICE J.SREENIVAS RAO, J

Date: 08.04.2025
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