

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.4647 of 2025

ORDER:

This Criminal Petition is filed under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to, as 'BNSS') seeking bail to the petitioners/accused No.1 in Crime No.468 of 2025 of P.S. Narsingi, Cyberabad, registered for the offence under Sections 109, 76 and 351(2) r/w 3(5) of Bharatiya Nyaya Sanhitha, 2023 (for short 'BNS').

2. The brief facts of the case are that on 10.03.2025, the complainant lodged a complaint, stating that she has purchased house at Gandipet and that she was abused and threatened by the petitioner and his family members, whenever she visited the same. On 09.03.2025, when certain household items were being unloaded from Bolero Vehicle, its driver, herself, her mother and son-in-law were all verbally abused and attacked with sticks by the petitioner and his family, due to which her mother sustained fracture on her left leg. Basing on the same, Crime No.468 of 2025 was registered.

3. Heard Mr. Shaik Khalid, learned counsel for the petitioner, and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent – State.

4. Learned counsel for the petitioner submitted that the petitioner was falsely implicated in the present crime and he did not commit any offence. He 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. He further submitted that the petitioner was arrested on 12.03.2025 and since then he was in judicial custody and the material part of the investigation is completed, except filing of charge sheet. He further submitted that the petitioner is not having other criminal antecedents and he is ready to abide by the conditions, which are going to be imposed by this Court and he will cooperate with the investigation. Hence, the petitioner may be enlarged on bail.

5. *Per contra*, learned Additional Public Prosecutor submitted that petitioner has committed grave offence and the investigation is under progress. At this stage, if the petitioner is granted bail, he will interfere with the investigation and influence the witness. Hence, prayed to dismiss the petition.

6. Having considered the rival submissions made by respective parties and after perusal of the material available on record, it reveals that the petitioner was arrested on 12.03.2025 and since then he is in judicial custody. Even according to the learned Additional Public Prosecutor, 11 witnesses were already examined and petitioner is not having other criminal antecedents.

7. Taking into consideration the said facts, this Court is inclined to grant bail to the petitioner/accused No.1 subject to the following conditions.

(i) The petitioner/accused No.1 shall be released on bail on executing a personal bond for a sum of Rs.25,000/-(Rupees twenty five thousand only) with two sureties for a like sum each to the satisfaction of the II Additional Junior Civil Judge-cum-XIII Judicial Magistrate of First Class, Ranga Reddy District at Rajendranagar.

(ii) On such release, the petitioner/accused No.1 shall appear the concerned S.H.O. at 11.00 a.m. on every Monday for a period of eight (8) weeks or till filing of the charge sheet, whichever is earlier, for the purpose of investigation, and thereafter, as and when required.

(iii) After release, petitioner/accused No.1 shall not influence the witnesses or interfere with the investigation.

(iv) The petitioner/accused No.1 shall abide by the other conditions stipulated in Section 437(3) of Cr.P.C., presently Section 480(3) of BNSS.

8. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

Date: 11.04.2025

vsl

J. SREENIVAS RAO, J