

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION Nos.4648 and 4649 of 2025

COMMON ORDER:

Since both the criminal petitions are arising out of Crime No.123 of 2025, both the 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.123 of 2025 on the file of P.S.Shad Nagar, Cyberabad, registered for the offences punishable under Section 107 of Bharatiya Nyaya Sanhitha (for short 'BNS').

3. The case of the prosecution is that on 05.02.2025, the complainant, who is the father of the deceased, stating that on 05.02.2025, his children, a daughter in 9th class and a son in 10th class at Shastra Global School, went to school as usual and at around 16:15 hours, he received a call from accused No.1 through accused No.2's phone, informing him that his son had fallen from the school building

and was admitted to VIVA Hospital, Shadnagar. Upon arriving at the hospital, he found his son in the ICU. When he questioned, accused No.1 claimed ignorance, stating he was in his chamber. The complainant then visited the school, where he noticed blood stains had been washed away, and his son's spectacles were discarded in the bushes. He went upstairs and observed that the balcony railing was 5'6" high, making it unlikely that his son fell due to dizziness. His daughter informed him that his son had spoken to her just 10 minutes before the incident. Suspecting foul play, he raised concerns about the death of his son. Hence, a case was registered in Crime No.123 of 2025.

4. Heard Mr.C.H.Jayakrishna, 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 and the petitioners have not harassed the deceased. He further submitted that initially, basing on the complaint lodged by the father of the deceased against petitioners, who are Principal and Teacher of physical training (PT Sir) of Shastra Global School, present

crime was registered for the offence under Section 194 of BNSS, subsequently the section of law was altered to 107 of BNS and the ingredients of Section 107 of BNS are not attracted against the petitioners. He further submitted that the petitioners were arrested on 10.03.2025 and since then, they were in judicial custody. He further submitted that entire investigation is completed, except filing of charge sheet and the petitioners are not having criminal antecedents and they are 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 bail.

6. *Per contra*, learned Additional Public Prosecutor submitted that specific allegations are leveled against the petitioners and the investigation is under progress. Hence, at this stage the petitioners are not entitled for grant of bail.

7. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that, petitioners were arrested on 10.03.2025 and since then they were in judicial custody and material part of the investigation is completed. Even according to the learned Additional Public Prosecutor, 16

witnesses were already examined and no other criminal antecedents are reported against the petitioners.

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.50,000/- (Rupees Fifty Thousand only) each with two sureties for a like sum each to the satisfaction of Additional Judicial First Class Magistrate, at Shadnagar.

(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 or till filing of charge sheet whichever is earlier, for the purpose of investigation and thereafter, as and when required.

(iii) After release, petitioners/accused Nos.1 and 2 shall not interfere with the investigation or influence the prosecution witnesses during the course of investigation.

(iv) 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: 09.04.2025

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