

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.4963 of 2025

ORDER:

This Criminal Petition is filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') by the petitioners, who are arrayed as accused Nos.1 and 2, seeking 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 Mr.Meesala Vinod Kumar, learned counsel for the petitioners and Mr.Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for respondent No.1-State.

4. Learned counsel for the petitioners submitted that the petitioners are innocent persons and they did not commit the alleged offence and they were falsely implicated in this crime. 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 petitioners and the petitioners never abused the complainant in the name of case and the petitioners are 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. He further submitted that the petitioners were arrested on 17.03.2025 and since then they are in judicial custody. He further submitted that the material part of the investigation is completed, except filing of charge sheet and the petitioners are not having any other 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.

5. *Per contra*, learned Additional Public Prosecutor opposed the bail petition and submitted that the petitioners have committed a grave offence and the investigation is not yet completed and therefore, they are not entitled for grant of bail.

6. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that the petitioners were arrested on 17.03.2025 and since then they are in judicial custody and material part of the investigation is completed, except filing of charge sheet. Even according to the

learned Additional Public Prosecutor, petitioners are not having any other criminal antecedents.

7. 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.25,000/- (Rupees Twenty Five Thousand only) each with two sureties for a like sum each to the satisfaction of Special Sessions Judge for Trial of Cases under SCs & STs (POA) Act-cum-VII Additional District and Sessions Judge, Ranga Reddy District at L.B.Nagar.

(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, if the petitioners/accused Nos.1 and 2 are involved in similar offence, the respondent-State is entitled to file an application

seeking cancellation of the bail granted by this Court in their favour.

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

8. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

JUSTICE J.SREENIVAS RAO

Date: 17.04.2025

vsl