

**THE HON'BLE SRI JUSTICE J.SREENIVAS RAO**

**CRIMINAL PETITION No.5179 of 2025**

**ORDER:**

This Criminal Petition is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') by the petitioner/accused, seeking anticipatory bail in Crime No.69 of 2025 of Suryapet II Town Police Station, registered for the offences punishable under Sections 118(1), 352, 351(2) of the Bharatiya Nyaya Sanhitha, 2023 (for short 'BNS').

2. Heard Sri V.Raghunath, learned Senior Counsel, representing Ms. V.Sanjana, learned counsel for the petitioner and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for respondent-State.

3. The case of prosecution in brief is that on 20.02.2025 at 14-30 hours the complainant-Kummarikuntla Sai Kiran filed a complaint with the police stating that on 20.02.2025 his sister by name Priyanka admitted in Sandhya Hospital, Suryapet for delivery. The doctors said that her condition is very serious and if they do not conduct operation to his sister, her condition is

dangerous. They were worried about situation. His brother in law by name Bangarugadda Srikanth husband of his sister and his mother Laxmi and his father Lingaiah are there and they are insulting them with smile. After surgery his sister gave birth to a baby girl. In this regard they have abused them. At about 04.00 hours they picked up a quarrel when writing the address in reception and his brother in law said he does not want his sister and threw the book and pen. Immediately they attacked him, threw him down and stomped. Laxmi and Laxmaiah were caught him and Srikanth tried to beat him on his head with iron rod, which he blocked with his right hand. As a result, he received injury to his right hand. In the course of throwing a stone on him, the stone hit the mirror of their car and the mirror was broken. Later they threatened him with dire consequences. Hence he requested to take necessary action into this matter as per law and based on said complaint, the above crime is registered.

4. Learned counsel for the petitioner submitted that the petitioner has not committed any offence and he was falsely implicated in this case. Admittedly, the *de-facto*

complainant and others have committed the offence and the petitioner lodged a complaint against the *de-facto* complainant and others on 20.02.2025 and based on the said complaint, crime No.68 of 2025 was registered for the offence under Sections 74, 115(2), 352, 351(2), 324(4) r/w 3(5) of BNS. The *de-facto* complainant lodged the present complaint on 20.02.2025 as a counter blast. He further submitted that initially the crime was registered for the offences, which are punishment with imprisonment below seven years and the investigating officer issued notice to the petitioner on 07.04.2025. Pursuant to the said notice, the petitioner appeared before the investigating officer. However, with an intention to harass the petitioner, he made several allegations against the petitioner and at that stage, the petitioner had approached this Court and filed W.P.No.7773 of 2025 questioning the notice issued under Section 35(3) of BNSS and this Court disposed of the said writ petition on 13.03.2025 directing the respondents therein to issue a fresh notice under Section 35(3) of BNSS in relation to the enquiry into Crime No.69 of 2025 dated 20.02.2025. Upon that the investigating officer developed grudge against the petitioner and altered the

offence under Section 118(2) of BNS with an intention to harass the petitioner. He further submitted that his father also has sustained grievous injuries in the hands of the *de-facto* complainant and others. The petitioner is ready and willing to cooperate with the investigation pending if any and he will abide by the conditions, which are going to be imposed by this Court. Hence, prayed to grant anticipatory bail to the petitioners.

5. *Per contra*, learned Additional Public Prosecutor submitted that the victim has sustained grievous injuries and the investigation is under progress. He further submitted that initially the crime was registered for the offence under Section 118(1), 352, 351(2) of BNS, subsequently, the offence was altered to Section 118(2) of BNS. If the petitioner is granted anticipatory bail, he will interfere with the investigation and tried to influence the witnesses and therefore, he is not entitled for grant of anticipatory 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 petitioner and the

victim are close relatives and the *de-facto* complainant is none other than the brother-in-law of the petitioner. The petitioner initially lodged a complaint against the *de-facto* complainant and others on 20.02.2025 and basing on the said complaint, crime No.68 of 2025 was registered in the very same police station. Subsequently basing on the complaint lodged by the *de-facto* complainant, the present crime was registered as Crime No.69 of 2025.

7. The record further reveals that father of the petitioner has also sustained injuries in the said incident. Initially the present crime was registered under Section 118(1) of BNS and subsequently it was altered to Section 118(2) of BNS. Pursuant to the notice issued by the investigating officer under Section 35(3) of BNSS, the petitioner appeared before the investigating officer. Subsequently, the petitioner had approached this Court and filed W.P.No.7773 of 2025 questioning the notice issued under Section 35(3) of BNSS dated 08.03.2025 and the same is contrary to the provisions of the Act.

8. The record also reveals that the said writ petition was disposed of by setting aside the notice issued by the

investigating officer dated 08.03.2025 and directed the respondents therein to issue a fresh notice under Section 35(3) of BNSS. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner/accused, subject to the following conditions:

- i) The petitioner/accused is directed to surrender before the S.H.O., Suryapet II Town Police Station, on or before 29.04.2025 and on such surrender, the Station House Officer is directed to release the petitioner on bail on his 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 his satisfaction.
- ii) After release, the petitioner/accused shall appear before the concerned S.H.O. at 11-00 a.m. on every Sunday commencing from 05.05.2025 for a period of eight weeks or till filing of charge sheet, whichever is earlier, for the purpose of investigation and thereafter, as and when required.
- iii) After release, the petitioner/accused shall not interfere with the investigation or influence the witnesses during the course of investigation.
- iv) After release, if the petitioner/accused involves in similar type of offences, respondent/State is entitled to file an application seeking for cancellation of this anticipatory bail.
- v) The petitioner/accused shall abide by the conditions

stipulated under Section 482 (2) of BNSS.

9. Accordingly, the Criminal Petition is allowed.

As a sequel thereto, miscellaneous applications, if any, pending in this petition stand closed.

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**JUSTICE J.SREENIVAS RAO**

Date: 22.04.2025  
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