

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.5207 of 2025

ORDER:

This Criminal Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhitha, 2023 (for short 'BNSS') seeking anticipatory bail to the petitioner/accused in Crime No.60 of 2025 on the file of the Kataram Police Station, Jayashankar Bhupalapally District, registered for the offences punishable under Section 109 of BNS.

2. The case of prosecution in brief is that on 05.04.2025, the complainant lodged a complaint stating that while he was sleeping at his house, petitioner and other villagers came to his house and took him to Hanuman Temple at outskirts of Shankarpalli village, meanwhile, petitioner abused him in most filthy language, beat him with hands on his cheek and beat him with stick on his head, back and chest with an intention to kill him, by keeping previous grudges in mind, as a result, he sustained bleeding injuries. Basing on the said complaint, Crime No.60 of 2025 was registered.

3. Heard Mr.K.Mallikarjun, learned counsel for petitioner and Mr.Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent-State.

4. Learned counsel for petitioner submitted that petitioner has not committed alleged offence and he was falsely implicated in the above crime by the complainant due to political rivalries in the village and petitioner has not abused or beaten the complainant and the ingredients under Section 109 of BNS are not attracted against the petitioner. He further submitted that the petitioner is not having any other criminal antecedents and he is ready to cooperate with the investigation and also abide by the conditions, which are going to be imposed by this Court, and hence, prayed for grant of anticipatory bail.

5. *Per contra*, learned Additional Public Prosecutor submitted that petitioner has committed grave offence and the investigation is under progress and charge sheet is not yet filed and at this stage if the petitioner is enlarged on anticipatory bail, there is every chance to interfere with the investigation and also 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 and the complainant are residents of very same village and due to political rivalries, complainant lodged complaint against the petitioner. Even according to the learned Public Prosecutor petitioner, 4 witnesses were already examined and the complainant received simple injuries and petitioner is not having any other criminal antecedents.

7. Taking into consideration the said facts, this Court is inclined to grant anticipatory bail to the petitioner/accused subject to the following conditions.

1. The petitioner/accused shall surrender before the Station House Officer of P.S.Kataram, Jayashankar Bhupalapally District, on or before 05.05.2025, and on such surrender, the said Station House Officer shall release the petitioner/accused on bail on his executing a personal bond for Rs.30,000/- (Rupees thirty Thousand only) with two sureties, for the like sum each.
2. After release, the petitioner/accused 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.

3. After release, the petitioner/accused shall not influence the witnesses or interfere with the investigation.
 4. The petitioner/accused shall abide by the other conditions stipulated in Section 482 (2) Bharatiya Nagarik Suraksha Sanhitha, 2023 and co-operate with the Investigating Officer in investigating the case.
8. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

JUSTICE J.SREENIVAS RAO

Date: 30.04.2025
vsl