

THE HON'BLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.5667 of 2025

ORDER:

This criminal petition is filed by the petitioner/accused under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) seeking regular bail in Crime No.261 of 2025 on the file of Alwal Police Station, Cyberabad Commissionerate, registered for the offence punishable under Sections 118(2) and 109 of BNS.

2. The case of the prosecution is that on 15.03.2025 at 1930 hours, the police authorities have received a complaint from one G.S. Anil Kumar alleging that on 14.03.2025 at around 0730 hours Mr. Lanka Nanda Pranav, tenant of Flat No.503 of Sree Indira Sadan Apartment attacked his father Sri G.S. Srinivas Rao, as a result, he sustained severe injuries. Basing on the same, the present crime was registered.

3. Heard Sri Vemulapati Pattabhi, learned Senior Counsel representing Sri M.P. Kashyap, learned counsel for

the petitioner, and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent.

4. Learned Senior Counsel for the petitioner submits that the petitioner has not committed the offence and he was falsely implicated in the present crime only on account of the disputes that arose in respect of parking area. Initially, the crime was registered for the offence under Section 118(2) of BNS and later, in the absence of iota of material, the said section of law was altered to Section 109 of BNS. Even according to the allegations made in the complaint as well as the remand case diary, the ingredients of Section 109 of BNS do not attract against the petitioner. The petitioner was arrested on 03.04.2025 and since then he is in judicial custody and material part of investigation is completed except filing of charge sheet. Due to the disputes between the residents of Shree Indira Sadan Apartment, the petitioner's family already vacated from the said premises. Therefore, the question of petitioner interfering with the investigation and influencing the witnesses does not arise and that custodial interrogation is also not required. The petitioner is a Software employee

and is not having any criminal antecedents and he is ready and willing to cooperate with the investigation and also abide by the conditions that are going to be imposed by this Court.

5. Per contra, learned Additional Public Prosecutor submits that the petitioner has committed grave offence and the investigation is under progress and that the victim sustained grievous injuries. At this stage, if the petitioner is enlarged on bail, he will interfere with the investigation and also influence the witnesses. Therefore, the petitioner is not entitled for grant of bail.

6. Having considered the rival submissions made by both the parties and after perusal of the material available on record, it reveals that the petitioner/accused was arrested on 03.04.2025 and since then he is in judicial custody. Even according to the learned Additional Public Prosecutor 10 witnesses were already examined and the petitioner is not having any criminal antecedents. During the course of hearing, learned Senior Counsel basing on the instructions given by the learned counsel on record specifically submitted that the petitioner's family has

already vacated Flat No.503, Shree Indira Sadan Apartments, Near IG Statue, Old Alwal.

7. Taking into consideration the facts and circumstances of the case, this court is inclined to grant bail to the petitioner/accused on the following conditions:

(1) The petitioner/accused is enlarged on bail on executing a personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties for a like sum each to the satisfaction of the X Judicial Magistrate of First Class, Medchal, Cyberabad.

(2) The petitioner/accused shall appear before the concerned SHO on every Saturday at 11:00 A.M. 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) The petitioner/accused shall abide by the conditions stipulated in Section 437(3) of Cr.P.C. (presently, Section 480(3) of the BNSS).

8. Accordingly, the criminal petition is allowed.

Pending miscellaneous applications, if any, shall stand closed.

JUSTICE J.SREENIVAS RAO, J

Date: 29.04.2025
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