

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.5565 of 2025

ORDER:

This Criminal Petition is filed under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhitha, 2023 (for short 'BNSS') seeking bail to the petitioners/accused Nos.20 to 23 and 29 in Crime No.45 of 2025 on the file of the P.S. Noothankal, Suryapet, registered for the offences punishable under Sections 189(2), 191(2), 191(3), 61(2) and 103(2) r/w 190 of Bharatiya Nyaya Sanhitha, 2023 (for short 'BNS').

2. The case of the prosecution is that on 17.03.2025, the 4th daughter of the deceased lodged a complaint stating about 15 years ago her father elected as village sarpanch from Congress I Party and husband of third sister also worked together with her father in the same party. Due to some controversies between them in TRS party, her father again joined Congress I Party. When auction was going on for temple land in the premises of Grampanchayath, A1 and his henchmen picked up quarrel with her father and beat him. There were police cases between them. On 17.03.2025 in the evening hours at about 4.00 hours her father was coming to house

from the agriculture land, on the way when he reached at the agriculture land of Konda Linge the henchmen of A1 attacked on her father with deadly weapons i.e. axes and sticks with an intention to kill him put a mask on his face and slashed strongly on his head, legs and right hand. At that time, while Velpula Mahesh and Velpula Ravi who were nearby grazing sheep saw and raised cries, they all escaped from there. While Velpula Ravi informed Daripelli Veeranna about this matter over mobile phone, Veeranna and some other villagers went to her father, shifted him in Car up to Epoor village, from there shifted in an Ambulance to Govt. Hospital Suryapet for treatment where the duty doctor observed her father died. Basing on the same a case was registered in Crime No.45 of 2025.

3. Heard Mr.C.Hari Preeth, learned counsel for the petitioners and Mr.Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent-State.

4. Learned counsel for the petitioners submitted that petitioners have not committed alleged offence and they were falsely implicated in the said crime, basing upon the confession statement

of accused No.1 only. He further submitted that petitioner Nos.1 to 4/accused Nos.20 to 23 are relatives of the deceased as well as the complainant and due to political rivalries between the deceased and accused No.1, the alleged incident has taken place and the petitioners are nothing to do with the alleged incident. He further submitted that petitioners are not present at the time of alleged incident and the ingredients of Sections 190 of BNS are not attracted against the petitioners. He further submitted that the petitioner No.1/accused No.20 is housewife, petitioner No.2/accused No.21 is prosecuting MBBS 3rd year) at KLR College of Education, Palvanha and petitioner Nos.3 and 5/accused Nos.22 and 29 are eking out their livelihood by doing agriculture and petitioner No.4/accused No.23 is eking out his livelihood by running Kirana shop. He further submitted that petitioner No.5/accused No.29 is third party and wife of accused No.12 and she is no way concerned with the alleged incident. He further submitted that the petitioners were women and they were arrested on 24.03.2025 and since then they are in judicial custody and entire investigation is completed except filing of charge sheet. He further submitted that petitioners are not having any other

criminal antecedents and they are ready to cooperate with the investigation and also ready to abide 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 submitted that petitioners have committed grave offence to attract Section 190 of BNS and there are specific allegations against the petitioners that accused No.1 along with other accused hatched a plan to kill the deceased and investigation is under progress and if the petitioners are released on bail at this stage, they may tamper with the evidence and may threaten the witnesses, and hence, prayed to dismiss the petition.

6. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that there are no specific allegations against the petitioners in the complaint and they were arrested on 24.03.2025 and since then they are in jail and they are women and petitioner No.1/accused No.20 is housewife, petitioner No.2/accused No.21 is prosecuting MBBS 3rd year) at KLR College of Education,

Palvancha and petitioner Nos.3 and 5/accused Nos.22 and 29 are eking out their livelihood by doing agriculture and petitioner No.4/accused No.23 is eking out his livelihood by running Kirana shop. Even according to the learned Additional Public Prosecutor, petitioners are not having any other criminal antecedents and 17 witnesses were already examined.

7. Taking into consideration the above facts of the case, this Court is inclined to grant bail to the petitioners/accused Nos.20 to 23 and 29, subject to the following conditions:

(i) The petitioners/accused Nos.20 to 23 and 29 shall execute a personal bond for a sum of Rs.30,000/-(Rupees thirty Thousand only) each with two sureties for a like sum each to the satisfaction of the Judicial First Class Magistrate at Thungathurthy.

(ii) The petitioners/accused Nos.20 to 23 and 29 shall appear before the concerned SHO at 11.00 A.M. on every Sunday, 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.20 to 23 and 29 shall not influence the witnesses or interfere with the investigation.

iv) The petitioners/accused Nos.20 to 23 and 29 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: 29.04.2025
vsl