

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.5596 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 petitioners/accused Nos.13, 57 and 58 in Crime No.38 of 2024 on the file of the Jainoor Police Station, Kumarambheem Asifabad District, registered for the offences punishable under Sections 143, 147, 148, 448, 323, 307, 294(b) and 427 r/w 149 of IPC and Section 3(1)(r)(s) and 3(2)(va) of SC/ST (POA) Act.

2. The case of prosecution in brief is that on 13.05.2024, the complainant lodged a complaint, stating accused Nos.1 to 44, who are muslims gathered into an unlawful assembly and attacked him with an intention to kill him, also beat the people belonging to Waddera Community and illegally trespassed into the Hanuman Temple and damaged the temple. Basing on the said complaint, Crime No.38 of 2024 was registered.

3. Heard Mr.Soma Ravi Kiran Reddy, learned counsel for petitioners and Mr.Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent No.1-State.

4. Learned counsel for petitioners submitted that petitioners have not committed alleged offence and they were falsely implicated in the above crime, at the instance of local political party leaders. He further submitted that similar allegations are levelled against accused Nos.2 to 5, 9, 10, 12, 17 to 21, 25, 26, 30, 33, 34, 40, 42, 43, 49, 52, 62 and 73, as they were against petitioners/accused Nos.13, 57 and 58 and they approached this Court and filed CrI.P.Nos.7599, 9651 and 8993 of 2024 and this Court granted anticipatory bail to them on 18.07.2024, 27.08.2024 and 14.08.2024 and petitioners/accused Nos.13, 57 and 58 are also entitled for grant of anticipatory bail. He further submitted that except offence under Section 307 of IPC and Sections 3(1)(r)(s) and 3(2)(va) of SC/ST (POA) Act, the punishment prescribed for the other offences is below seven years and the petitioners are not having any other criminal antecedents and they are ready and willing 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 petitioners have committed grave offence at the instance of the political leaders and the victim sustained grievous injuries and investigation is under progress and charge sheet is not yet filed and at this stage if the petitioners are 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 this Court has granted anticipatory bail to accused Nos. 2 to 5, 9, 10, 12, 17 to 21, 25, 26, 30, 33, 34, 40, 42, 43, 49, 52, 62, and 73 in Criminal Petition Nos. 7599, 9651 and 8993 of 2024, dated 18.07.2024, 27.08.2024, and 14.08.2024 respectively, against whom similar allegations have been made as same are against the petitioners/accused Nos. 13, 57, and 58. Even according to the learned Additional Public Prosecutor, 31 witnesses were already

examined and petitioners are not having any other criminal antecedents.

7. Taking into consideration the said facts, this Court is inclined to grant anticipatory bail to the petitioners/accused Nos.13, 57 and 58 subject to the following conditions.

1. The petitioners/accused Nos.13, 57 and 58 shall surrender before the Station House Officer of P.S.Jainoor, Kumarambheem Asifabad District, on or before 06.05.2025, and on such surrender, the said Station House Officer shall release the petitioners/accused Nos.13, 57 and 58 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, petitioners/accused Nos.13, 57 and 58 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, if the petitioners/accused Nos.13, 57 and 58 are indulges in similar offence, the respondent-State is entitled to file an application seeking cancellation of the anticipatory bail granted by this Court in their favour.

4. The petitioners/accused Nos.13, 57 and 58 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: 01.05.2025
vsl