

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.5821 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 Nos.1 and 2 in Crime No.75 of 2025 on the file of the Keshavapatnam Police Station, Karimnagar District, registered for the offences punishable under Section 292 r/w 3(5) of BNS and Section 3(1)(r)(s) of SC/ST (POA) Amendment Act.

2. The case of prosecution in brief is that on 10.04.2025 respondent No.2 herein lodged complaint alleging that on 05.04.2025, at about 09.30 hours at Erdapalli Village of Shankarapatnam, A.1] T.Vijaya abused complainant's paternal uncle *viz.*, Odela Rajaiah using filthy language in the name of caste near the house of K.Ravinder Rao upon witnessing the same, the complainant intervened and questioned A.1 and also abused the complainant and his paternal uncle alleging that said Rajaiah is interfering in

their community matters by acting as Panchayat elder. It is alleged that A.2 is said to have telephonically informed the Sarpanch of Eradapally that he had endorsed abusive. As such, he requested to take action. Accordingly, the Police registered a case in Crime No.75 of 2025 dated 10.04.2025 for the offence under Section 292 r/w 3(5) of BNS and Sections 3(1)(r)(s) of SC/ST (POA) Act, 2015.

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

4. Learned counsel for petitioners submitted that petitioners have not committed alleged offence and respondent No.2 has falsely implicated the petitioners in the above crime only to harass them. He further submitted that except the offence under Sections 3(1)(r)(s) of SC/ST (POA) Act, 2015, all the other offences leveled against the petitioners are punishable with imprisonment less than 7 years. Even according to the defacto complainant, the alleged offence took place on 05.04.2025 and the complaint was lodged on 10.04.2025 without any explanation for the

delay. Petitioner No.1 is a house wife and petitioner No.2 is none other than the son of petitioner No.1 who is a Government Employee. Petitioners are not having any other criminal antecedents. He further submitted that the petitioners 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 and the investigation is under progress 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, this Court deems it fit that except the offence under Sections 3(1)(r)(s) of SC/ST (POA) Act, 2015, all the other offences leveled against the petitioners are

punishable with imprisonment less than 7 years. The petitioners further alleged that offence took place on 05.04.2025 and complaint was lodged on 10.04.2025. It is further submitted that petitioner No.2 is a Line Inspector who is a Government Employee and petitioner No.1 is house wife. Even according to the learned Additional Public Prosecutor, the 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.1 and 2 subject to the following conditions.

1. The petitioners/accused Nos.1 and 2 shall surrender before the Station House Officer of Keshavapatnam Police Station, on or before 07.05.2025, and on such surrender, the said Station House Officer shall release the petitioners/accused on bail on his executing a personal bond for Rs.25,000/- (Rupees twenty five Thousand only) each with two sureties, for the like sum each.
2. After release, petitioners/accused Nos.1 and 2 shall appear before the concerned SHO at 11.00 A.M. 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.

3. After release, the petitioners/accused Nos.1 and 2 shall not influence the witnesses or interfere with the investigation.
 4. The petitioners/accused Nos.1 and 2 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
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