

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.5932 of 2025

ORDER:

This Criminal Petition is filed seeking cancellation of anticipatory bail granted to the respondents/Accused Nos.1 and 2, *vide* orders dated 04.02.2025 in CrI.P.No.11697 of 2024, on the file of this Court.

2. Heard Sri E.Ganesh, learned Assistant Public Prosecutor appearing on behalf of the petitioner-State and Sri Rapolu Abhinav, learned counsel representing Sri Rapolu Bhaskar, learned counsel for the respondents/Accused No.2.

3. This Court, *vide* order dated 04.02.2025, granted anticipatory bail to the respondents/Accused Nos.1 and 2, subject to the following conditions:

- i. The petitioners/Accused Nos.1 and 2 shall surrender before the Station House Officer, Central Crime Station, Hyderabad, within two weeks from the date of the order.
- ii. Upon such surrender, the said SHO shall release them on bail upon execution of a personal bond for Rs. 25,000/- each with two sureties for the like sum.
- iii. The petitioners/Accused Nos.1 and 2 shall appear before the concerned SHO every

Monday between 9:00 A.M. and 10:00 P.M. for a period of eight weeks or until filing of the charge sheet, whichever is earlier.

iv. The petitioners/Accused Nos.1 and 2 shall comply with the other conditions stipulated under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023, and shall cooperate with the Investigating Officer during the course of investigation.

4. Learned Assistant Public Prosecutor, on instructions, submitted that the petitioner/respondent/A2 has not appeared before the Investigating Officer to date, has not furnished sureties, and has failed to co-operate with the investigation. Therefore, he requested that the anticipatory bail granted be cancelled.

5. On the other hand, learned counsel for respondent No.2 submitted that after the anticipatory bail was granted, the petitioner/respondent/A2 was served with notice under Section 35(3) of the BNSS. In view of the same, the he did not appear or furnish sureties.

6. Considering the facts and circumstances of the case, and upon perusal of the material available on record, it is evident that the petitioner did not co-operate with the Investigating Officer after serving notice under Section 35(3) of BNSS. It is also noted that the investigating authorities had approached the trial Court seeking

permission, which was granted, and only thereafter the petitioner filed the anticipatory bail petition. Even after bail was granted with specific conditions, the petitioner failed to appear before the Investigating Officer within the stipulated time and did not comply with the conditions imposed by this Court.

7. In such circumstances, this Court is of the view that the issue is not one of cancellation of bail, as the respondent/A2 has not complied with the conditions of the bail order. Therefore, the Investigating Officer is at liberty to proceed in accordance with law, including effecting the arrest of the respondent/A2 for non-compliance.

8. Accordingly, this Criminal Petition is disposed of.

Miscellaneous applications, if any pending, shall stand closed.

Date:13.10.2025
dsv

K. SUJANA, J

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