

The Hon'ble Sri Justice J.Sreenivas Rao

Criminal Petition No.6128 of 2025

Order:

This Criminal Petition is filed under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhitha, 2024 (for short 'BNSS') seeking bail to the petitioner/accused in Crime No.103 of 2025 on the file of the Adilabad Rural Police Station, Adilabad District, registered for the offences punishable under Sections 25(1)(A) of Arms Act and Sections 308(5) and 351(3) of BNS and Section 67 of Information Technology Act, 2000-2008.

2. The case of the prosecution is that on 13-04-2025 at 08:00 hrs, the complainant lodged a petition in which he stated that while he was attending his CCTNS/Tech team duties. On 13-04-2025 while he was browsing Instagram, he came across a reel posted by the Instagram. The said reel contains a dubbed movie song where a person is holding arms (Dagger) which appears threatening. Posts like this have a potential to create panic in the public, disrupt public harmony and may lead to the law and order issue in the society. Further he came to know

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that previously he was involved in a murder case and also he threatened some persons and collected money by showing dagger. Hence he requested to take legal action against the person, who is circulating such provocative material.

3. Heard Mr. Soma Ravi Kiran Reddy, learned counsel for the petitioner/accused and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent-State.

4. Learned counsel for the petitioner submitted that the petitioner/accused was falsely implicated in the present crime. He further submitted that the very same allegations, crime No.112 of 2025 was registered on the file of PS I-Town Adilabad, for the very same offence and the petitioner/accused approached this Court and filed CrI.P.No.4510 of 2025 for seeking quash of the above said crime. This Court disposed of the said criminal petition on 04.04.2025 directing the police not to arrest the petitioner/accused for a period of three weeks to enable the petitioner/accused to give an explanation for posting the reel on instagram. Pursuant to the above said order,

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the petitioner/accused submitted detailed explanation. However, concerned officers have not passed any order. On the other hand, basing on the very same allegations, the petitioner/accused has already surrendered the weapon before PS I-Town Adilabad. He further submitted that the petitioner/accused was arrested on 13.04.2025 and since then he was in judicial custody. The entire investigation is completed, except filing of the charge sheet. He further submitted that the petitioner/accused is ready to cooperate with the investigation and also abide by the conditions as may be imposed by this Court and prayed for grant of bail.

5. *Per contra*, learned Additional Public Prosecutor submitted that the petitioner has committed grave offence and the investigation is under progress and at this stage, the petitioner is not entitled for grant of bail.

6. Having considered the rival submissions made by the learned counsel for the parties and on perusal of the material available on record, it reveals that on the very same allegations, Crime No.112 of 2025 was registered on the file of PS I-Town

Adilabad, for the very same offence and the petitioner/accused approached this Court and filed CrI.P.No.4510 of 2025 for seeking quash of the above said crime. This Court disposed of the criminal petition on 04.04.2025 directing the police not to arrest the petitioner/accused for a period of three weeks to enable the petitioner/accused to give an explanation for posting the reel on instagram. Learned counsel for the petitioner submitted that the petitioner/accused submitted detailed explanation. The petitioner/accused has already surrendered the weapon before PS I-Town Adilabad, on the very same allegation the present crime was registered. The petitioner was arrested on 13.04.2025 and since then he was in judicial custody. Even according to the learned Additional Public Prosecutor 5 witnesses were already examined.

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

- (i) The petitioner/accused shall execute a personal bond for a sum of Rs.50,000/-(Rupees Fifty Thousand only) with two sureties (one local

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surety) for a like sum each to the satisfaction of Judicial First Class Magistrate at Adilabad.

(ii) On such release, the petitioner/accused shall appear before the concerned Station House Officer 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.

iii) The petitioner/accused shall abide by the conditions stipulated in Section 483 (3) of BNSS.

(iv) After release, if the petitioner/accused involves in similar offence, the bail granted by this Court shall be cancelled.

8. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

Date: 02.05.2025

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J.SREENIVAS RAO, J

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