

THE HONOURABLE SRI JUSTICE NARSING RAO NANDIKONDA

CRIMINAL PETITION No.6452 OF 2025

ORDER:

This Criminal Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') by the petitioners-accused Nos.7, 8 and 10 to 12, seeking anticipatory bail in Crime No.185 of 2025 of Medak Town Police Station, Medak, registered for the offence punishable under Section 109 read with 190 of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS').

2. Heard learned counsel for the petitioners and Mr.E.Ganesh, learned Assistant Public Prosecutor appearing for respondent-State. Perused the record.

3. The case of the prosecution, in brief, is that the petitioners herein, along with other accused, have attacked the father of *de facto* complainant with sticks and stones with an intention to kill him. Due to the said attack, the *de facto* complainant's father suffered grievous injuries to his head.

4. Learned counsel for the petitioners contended that the petitioners are innocent and have been falsely

implicated in the case. The families of the petitioners herein and *de facto* complainant are closely related to each other and there are disputes between them. With regard to the very same incident, case and counter cases are filed. He further submits that the father of *de facto* complainant, who is the injured, was already discharged from the hospital on the very same day. The allegations levelled against the petitioners herein are omnibus and no specific overt acts are attributed to them. The petitioners herein are apprehending arrest and ill-treatment in the hands of the Police and if they are arrested, they will be put to irreparable loss. Hence, he prayed to grant anticipatory bail to the petitioners herein.

5. On the other hand, learned Assistant Public Prosecutor, on instructions, opposed for grant of anticipatory bail to the petitioners herein stating that due to the attack made by the petitioners herein and other accused, the father of *de facto* complainant suffered bleeding injuries. The investigation is in progress and as many as 11 witnesses were already examined.

6. Having heard both sides and perused the entire material on record, *prima facie*, no specific overt acts are attributed against the petitioners herein. The petitioners herein are women and already 11 witnesses were examined by the Police. Hence, I hold that the petitioners herein can be granted on anticipatory bail, subject to the following conditions:

- i. The petitioners-accused Nos.7, 8 and 10 to 12 shall surrender before learned Judicial First Class Magistrate at Medak, within ten days from the date of this order. On such surrender, the learned Magistrate is directed to release the petitioners-accused Nos.7, 8 and 10 to 12 on bail on their executing a personal bond for Rs.25,000/- each (Rupees Twenty Thousand only) with two sureties, for the like sum each to the satisfaction of the learned Magistrate.
- ii. After release, the petitioners-accused Nos.7, 8 and 10 to 12 shall appear before the concerned S.H.O. at 11.00 a.m. on first and third Sunday of every month 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, the petitioners-accused Nos.7, 8 and 10 to 12 shall not influence any of the prosecution witnesses in any manner and shall not visit the place of the *de facto* complainant or victim.

iv. The petitioners-accused Nos.7, 8 and 10 to 12 shall abide by the other conditions stipulated in Section 482(2) of BNSS and co-operate with the Investigating Officer in investigating the case.

v. After release, if the petitioners-accused Nos.7, 8 and 10 to 12 indulges in any similar offence, the respondent-State is entitled to file an application seeking cancellation of the bail granted by this Court in his favour.

7. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications pending, if any, shall stand closed.

NANDIKONDA NARSING RAO, J

Date: 14.05.2025
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