

THE HONOURABLE SRI JUSTICE NARSING RAO NANDIKONDA

CRIMINAL PETITION No.6472 OF 2025

ORDER:

This Criminal Petition is filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) read with Section 439 Cr.P.C. by the petitioners/accused Nos.2 & 13 seeking bail in Crime No.185 of 2025 of Medak Town Police Station, Medak District, registered for the offences punishable under Sections 109 read with 190 BNS.

2. Heard learned counsel for the petitioners/accused Nos.2 & 13 as well as Sri V.Jitender Rao, learned Additional Public Prosecutor appearing for the respondent-State. Perused the record.

3. The case of the prosecution is that on 24.04.2025, the *defacto* complainant-Sri Vanam Prashanth lodged a complaint before Medak Town Police Station stating that there was a quarrel between both parties regarding his sister-in-law and LW5 with an intention to kill the complainant's father, attacked with stones, sticks and that his father received grievous injury to Head and he is under treatment in

Sufi Hospital, Medak. As such, the petitioners were charged with offence punishable under Section 109 read with 109 BNS, 2023.

4. Learned counsel for the petitioners submitted that the petitioners herein have lodged a similar complaint as against the defacto complainant and the same was registered as Crime No.186 of 2025 and was pending before the same police station. Besides that, the contention of the petitioners is that the petitioners are nothing to do with the said offence and as there are earlier cases and counter cases in between both the parties and the father of the complainant was discharged from the Hospital on the very same day and it is also contended that the provision under Section 109 read with Section 190 BNS, 2023 does not attract. It is further contended that the petitioners are in judicial custody since 25.04.2025 and that some of the petitioners herein are suffering from various diseases such as Blood Pressure, back pain and Sugar and further, they are also suffering from various ailments and were taking treatment in Asian Institute of Gastroenterology.

5. Learned Additional Public Prosecutor opposed for grant of bail and contended that there are other cases pending amongst both parties and the entire issue arose with accused No.5 who was in love with one of the family member of the complainant and when she refused for his love, there the dispute started among the family members. It is also contended that though earlier a mediation was also conducted before caste elders, it was not settled out.

6. As it clearly appears that there are case and counter case among both the parties and as per the prosecution, the prosecution has already examined all the material witnesses i.e., LWs 1 to 11 and the entire material witnesses have been examined and the petitioners have been alleged to have been suffering from various health ailments and they are in judicial custody since 24.04.2025, as such, this Court is of the considered opinion that the petitioners/accused Nos.2 & 13 can be enlarged on bail subject to the following conditions:

- (i) The petitioners/accused Nos.2 & 13 shall be released on bail on executing a personal bond for a sum of Rs.50,000/-(Rupees fifty

thousand only) each with two sureties for a like sum each to the satisfaction of the Judicial Magistrate of First Class, Medak.

- (ii) After release, the petitioners/accused Nos.2 & 13 shall appear before the concerned S.H.O. in between 11.00 a.m to 5.00 p.m. on first and third Sunday of every month for a period of eight (8) weeks or till filing of the charge sheet, whichever is earlier, for the purpose of investigation, and thereafter, as and when required.
- (iii) After release, if the petitioners/accused Nos.2 & 13 indulges in any offence, the respondent-State is entitled to file an application seeking cancellation of the bail granted by this Court.
- (iv) The petitioners/accused Nos.2 & 13 shall abide by the other conditions stipulated in Section 480(3) of BNSS and shall co-operate with the investigation.

7. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications pending, if any, shall stand closed.

NARSING RAO NANDIKONDA, J

Date: 21.05.2025
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