

THE HONOURABLE SRI JUSTICE NARSING RAO NANDIKONDA
CRIMINAL PETITION No.6442 OF 2025

O R D E R:

This Criminal Petition is filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') by the petitioners/accused Nos.1 & 2, seeking bail in Crime No.59 of 2024 of Beerpur Police Station, Jagtial District, registered for the offence punishable under Section 302 IPC.

2. Heard learned counsel for the petitioners as well as Sri Jitender Rao Veeramalla, learned Additional Public Prosecutor appearing for the respondent-State. Perused the record.

3. The case of the prosecution, in brief, is that basing on the report received from the Panchayat Secretary of Cherlapalli Village, Beerpur Mandal, on 15.06.2024 that an unknown dead body of male person was found in a burnt condition, the Police on suspicion against the petitioners/accused Nos.1 & 2, subjected them to Poligraphy Test in which the petitioners were said to have been given vague answers. As such, the petitioners are

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alleged to have been committed the offence on the ground that the deceased used to consume Alcohol and quarrel with accused No.2 in a drunken state. Due to the attitude of the deceased, accused Nos.1 & 2, having been disappointed and thinking that their family reputation being damaged in the community, decided to do away with the deceased and committed the said offence.

4. Learned counsel for the petitioners contends that the petitioners are innocent of the offence and that without there being any evidence against them, the petitioners have been falsely implicated in the offence and that he further contended that the petitioners are in judicial custody since 02.04.2025 and therefore requested to enlarge the petitioners/accused Nos.1 & 2 on bail.

5. On the other hand, learned Additional Public Prosecutor submits that the allegations are serious in nature and contended that if the petitioners/accused Nos.1 & 2 are released on bail, they may interfere with the investigation process and therefore prayed to dismiss the petition.

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6. Having heard the learned counsel for the petitioners and the learned Additional Public Prosecutor and upon perusing the entire material available on record, as it shows that the entire case as against the petitioners is based on the Polygraphy Test and the answers given by them are vague and the record shows that the prosecution has already examined LWs1 to 21 and the post mortem examination report is also received, it appears as the material part of investigation has been concluded and the petitioners are in judicial custody since 02.04.2025, hence, this Court is inclined to grant bail to the petitioners/accused Nos.1 & 2 subject to the following conditions:

- (i) The petitioners/accused Nos.1 & 2 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 Principal Junior Civil Judge-cum-Judicial Magistrate of First Class at Jagtial.

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- (ii) After release, the petitioners/accused Nos.1 & 2 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.1 & 2 indulge 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.1 & 2 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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