

THE HON'BLE SRI JUSTICE NARSING RAO NANDIKONDA

CRIMINAL PETITION No.6495 of 2025

ORDER:

This Criminal Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhitha, 2023 (for short 'BNSS') seeking anticipatory bail to the petitioner/accused No.1 in Crime.No.44 of 2025 on the file of the P.S. Nizamabad IV TN, Nizamabad, registered for the offences punishable under Section 109(1), 121(2) r/w 49 of the Bharatiya Nyaya Sanhitha, 2023 (for short 'BNS') and Section 4 r/w 181 of Motor Vehicles Act, 1988 (for short 'MV Act')

2. The case of prosecution, in brief, is that that on the night of 17.02.2025, while conducting a vehicle check near HDFC Bank, Kotgalli, Nizamabad, the de-facto complainant, a police officer with Town IV PS, signaled a car to stop. The driver, with intent to harm, speed up, hit a police constable, and fled away. Subsequently, CCLs 1 and 2 were apprehended and produced before the Juvenile Justice Board. They disclosed that CCLs 2 to 4 instructed CCL 1 to speed up and hit anyone who tried to stop them, leading to the attack on the police officer. The allegation against the petitioner/accused No.1 is that he received the vehicle from accused No.2, handed it to his brother and others (CCLs 1-4), and after the incident, got it back and returned it to

accused No.2. However, aside from the CCLs' confessional statements, there is no other evidence involving petitioner/accused No.1 in the crime.

3. Heard Ms.Almas Mohammed, learned counsel for petitioner and Mr.M.Rama Chandra Reddy, learned Additional Public Prosecutor for the respondent-State.

4. Learned counsel for petitioner submitted that petitioner has not committed the offence as alleged by the prosecution and that he was falsely implicated in the above crime. He further submitted that petitioner is a student and he is not having any criminal antecedents. He further submitted that the material part of the investigation is completed and he is ready to cooperate with the investigation and also ready to abide by the conditions, which are going to be imposed by this Court and hence, prayed for grant of anticipatory bail.

5. *Per contra*, learned Additional Public Prosecutor submitted that petitioner has committed grave offence and the investigation is under progress and charge sheet is not yet filed and at this stage if the petitioner is enlarged on anticipatory bail, there is every chance to interfere with the investigation and also influence the witnesses. Hence, he prayed to dismiss the petition.

6. Heard both sides and perused the entire material on record, *prima facie*, no specific overt acts are attributed against the petitioner/accused No.1 herein. Hence, I hold that the petitioner herein can be granted on anticipatory bail, subject to the following conditions:

1. The petitioner/accused No.1 shall surrender before the Station House Officer of P.S.Nizamabad IV TN, Nizamabad, within ten (10) days from the date of receipt of a copy of this order, and on such surrender, the said Station House Officer shall release the petitioner/accused No.1 on bail on his executing a personal bond for Rs.50,000/- (Rupees fifty Thousand only) with two sureties, for the like sum each.
2. After release, the petitioner/accused No.1 shall appear before the concerned SHO at 11.00 A.M. on every Saturday, 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.
3. The petitioner/accused No.1 shall abide by the other conditions stipulated in Section 482 (2) Bharatiya Nagarik Suraksha Sanhitha, 2023 and co-operate with the Investigating Officer in investigating the case.

7. Accordingly, the Criminal Petition is allowed.

JUSTICE NARSING RAO NANDIKONDA

Date: 14.05.2025
Sa/vsl

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Dt: 14.05.2025

Sa/vsl

