

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.6537 of 2025

ORDER:

This Criminal Petition is filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') by the petitioner, who is arrayed as accused No.3, seeking bail in Crime No.282 of 2025 on the file of Chevella, Cyberabad, registered for the offence punishable under Section 309(6) of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS').

2. The case of the prosecution is that on 16.04.2025, the complainant, a daily laborer residing in Chevella, reported that around 8:30 AM, she and another laborer, Boya Lakshmi (30), were approached near Venkateshwara Temple by an unknown man offering work for Rs.700 per person. He took them on a bike to a secluded area near Mallareddyguda Gate on Chevella-Shabad Cross Road. After briefly leaving, he returned with another man, and both assaulted the women. Lakshmi was pushed and robbed of one thula of gold beads, while the complainant was injured and had approximately 2.4 thulas of gold snatched from her earrings. The assailants fled on a bike without a number plate. Basing on the same, a case was registered in Crime No.282 of 2025.

3. Heard Mr.D.Ambedkar, learned counsel for the petitioner and Mr.Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for respondent-State.

4. Learned counsel for the petitioner submitted that the petitioner is innocent person and he did not commit the alleged offence and he was falsely implicated in this crime, basing upon the confession statement given by the other accused. Even according to the allegations made in the complaint and remand case diary, the entire allegations are leveled against accused Nos.1 and 2 and only allegation leveled against the petitioner is that he purchased the stolen gold from accused Nos.1 and 2 and the said gold was not recovered from the petitioner, hence the ingredients of Section 309(6) of BNS are not attracted against the petitioner. He further submitted that the petitioner was arrested through PT Warrant on 03.05.2025 and since then he is in judicial custody and he is eking out his livelihood by working as a taxi driver. He further submitted that the petitioner 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 bail.

5. *Per contra*, learned Additional Public Prosecutor submits that the petitioner has committed grave offences and the investigation is under progress and at this stage, if the petitioner is enlarged on

bail, he will interfere with the investigation and also influence the witnesses. Hence, he prays to dismiss this criminal petition.

6. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that entire allegations are leveled against accused Nos.1 and 2 and only allegation leveled against the petitioner is that he purchased the stolen gold from accused Nos.1 and 2. The record further discloses that the petitioner was arrested through PT Warrant on 03.05.2025 and since then he is in judicial custody. Even according to the learned Additional Public Prosecutor, so far, 9 witnesses were examined and the custodial interrogation of the petitioner is not required.

7. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner/accused No.3, subject to the following conditions:

(i) The petitioner/accused No.3 shall execute a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties for a like sum each to the satisfaction of the Judicial Magistrate of First Class at Chevella.

(ii) The petitioner/accused No.3 shall appear before the concerned SHO at 11.00 A.M. on every Thursday, 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 No.3 shall abide by the conditions stipulated in Section 483 (3) of BNSS.

8. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

J. SREENIVAS RAO, J

Date:13.06.2025
PSW