

The Hon'ble Sri Justice J.Sreenivas Rao

Criminal Petition No.6634 of 2025

Order:

This Criminal Petition is filed by the petitioner/accused under Sections 480 and 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) seeking regular bail in connection with Crime No.284 of 2025 on the file of the Station House Officer, Madhura Nagar Police Station, Hyderabad, registered for the offence punishable under Section 109 of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS').

2. Heard Mr. Veera Babu Gandu, learned counsel for the petitioner/accused and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent/State.

3. The case of the prosecution is that on 18.04.2025 at about 19:45 hours, the Station House Officer, Madhura Nagar Police Station, received a complaint from the complainant stating that one Shiva is his friend and on 16.04.2025, he went

to his house located at Rahmathnagar and he along with Shiva and three others including the petitioner consumed alcohol and slept there and on the next day, at around 12:00 noon, while he was sleeping, petitioner asked him to wake up and bring cigarette and when the complainant refused, the petitioner picked up a quarrel, abused him in obscene language, beat him with a beer bottle, which resulted in bleeding injury to his head, and threatened to kill him. All the other friends shifted the complainant to the hospital for treatment. Basing on the said complaint, the aforesaid Crime was registered against the petitioner/accused for the aforesaid offences.

4. Learned counsel for the petitioner/accused submits that the petitioner has not committed any offence and he was falsely implicated in the aforesaid crime. He further submits that even according to the allegations made in the complaint, petitioner and complainant are close friends and the ingredients of Section 109 of BNS are not attracted against the petitioner. He further submits that the petitioner was arrested

on 19.04.2025 and since then, he is in judicial custody and the entire investigation is completed except filing of chargesheet and the petitioner is working as driver and his entire family is dependent on his income and unless the petitioner is enlarged on bail, he will be put to grave hardship. Hence, he prays to grant bail to the petitioner as he is ready and willing to cooperate with the investigation and abide by the conditions as may be imposed by this Court.

5. Per contra, learned Additional Public Prosecutor submits that the petitioner has committed grave offence and the investigation is under progress and at this stage, if the petitioner is granted bail, there is every chance of his influencing the witnesses and interfering with the investigation. Hence, he prays to dismiss this criminal petition.

6. Having heard learned counsel for the parties and on perusal of the material available on record, it reveals that the petitioner and the complainant are close friends and the petitioner was arrested on 19.04.2025 and since then he is in

judicial custody. Even according to the learned Additional Public Prosecutor, five witnesses were already examined and the complainant (victim) suffered simple injury.

7. In view of the same, this Court is inclined to grant bail to the petitioner/accused subject to the following conditions:

(i) The petitioner/accused shall execute a personal bond for a sum of Rs.25,000/-(Rupees Twenty Five Thousand only) with two sureties for a like sum each to the satisfaction of XIV Additional Chief Metropolitan Magistrate, Nampally, Hyderabad.

(ii) On such release, the petitioner/accused shall appear before the concerned Station House Officer 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.

(iii) The petitioner/accused shall not interfere with the investigation or influence the witnesses during the course of investigation.

(iv) The petitioner/accused shall abide by the conditions stipulated in Section 483 (3) of BNSS.

(v) It is made clear that in case the petitioner/accused indulges in similar offence, the respondent/State is at liberty to file an application seeking cancellation of bail.

8. Accordingly, the Criminal Petition is allowed.

As a sequel, miscellaneous petitions, pending if any, stand closed.

Date: 11.06.2025
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J.SREENIVAS RAO, J