

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.6650 of 2025

ORDER:

This Criminal Petition has been filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) by the petitioner/accused, seeking bail in Crime No.66 of 2023 of Narsimhulapet Police Station, Mahabubabad District, registered for the offence punishable under Section 307 of the Indian Penal Code, 1860 (IPC).

2. The case of prosecution in brief is that on 10.06.2023, the *de facto* complainant lodged a complaint stating that on 09.06.2023, he along with his wife went to Lali Thanda to attend a marriage and when they were sitting for lunch, the petitioner, who is his agnate, attacked him by holding a sword. Immediately, he was rescued by the persons who attended the function. Hence, the complaint.

3. Heard Mr. Sardar Jasbeer Singh, learned counsel for the petitioner, and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent State.

4. Learned counsel for the petitioner submitted that the petitioner has not committed the offence and he was falsely implicated in the present crime. Even according to the allegations made in the complaint by the *de facto* complainant, the ingredients under Section 307 of the IPC are not attracted against the petitioner. The petitioner was arrested on 21.04.2025 and he has been in judicial custody for more than 60 days. The entire investigation is completed except filing of the charge sheet. The petitioner is not having any criminal antecedents. The petitioner is ready and willing to cooperate with the investigation and also abide by the conditions, which are going to be imposed by this Court. Hence, the petitioner is entitled for grant of bail.

5. *Per contra*, learned Additional Public Prosecutor submitted that the petitioner has committed a grave offence. The petitioner was absconded from the date of registration of crime till 21.04.2025. If the petitioner is enlarged on bail, he will not cooperate with the investigation and also prosecute the proceedings. Taking into consideration the conduct of the petitioner, he is not entitled for grant of bail.

6. Learned counsel for the petitioner by way of reply submitted that the petitioner will cooperate with the investigation and also prosecute the proceedings before the concerned Court. He further submitted that the petitioner has not aware about the pendency of the crime till he was arrested on 21.04.2025.

7. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that the crime was registered on 10.06.2023 for the offence under Section 307 of the IPC. Even according to the learned Additional Public Prosecutor eight (8) witnesses were examined and the victim received simple injuries and the petitioner is not having any criminal antecedents.

8. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner/accused, subject to the following conditions:

- (i) The petitioner/accused shall be enlarged on bail on his executing a personal bond for a sum of Rs.30,000/-(Rupees thirty thousand only) with two sureties for a like sum each to the satisfaction of the Judicial First Class Magistrate, Thorrur.

(ii) The petitioner/accused shall appear before the concerned S.H.O. at 11.00 A.M. on every Monday, 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) The petitioner/accused shall abide by the conditions stipulated in Section 483 (3) of BNSS.

9. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

J.SREENIVAS RAO, J

Date: 18.06.2025

mar