

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.6671 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.624 of 2025 of Gachibowli Police Station, Cyberabad Commissionerate, registered for the offence punishable under Section 109(1) of the Bharatiya Nyaya Sanhita, 2023 (BNS).

2. The case of prosecution in brief is that on 02.04.2025 at 09.00 hours, the *de facto* complainant lodged a complaint stating that on 01.04.2025 at around 22.00 hours, when he was at fast food center, near SIA Life Hospital, he noticed that an unknown person lifting cement bricks and attempting to throw on a woman with an intention to kill her. When he intervened, the said person make attacking him. Due to fear, he made call to the police through Dial 100 at 22.10 hours and meanwhile, the staff of SIA Life Hospital came and they informed that the said woman had been discharged from their hospital just a while ago and the victim said that her husband i.e., the petitioner would

bear her and also stated that the bricks were thrown by her husband. Hence, the complaint.

3. Heard Mr. P. Rana Kamalasan, 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 109(1) of the BNS are not attracted against the petitioner. The victim, who is the wife of the petitioner, alleged that she was abused and beaten by the petitioner. However, the victim has not lodged any complaint, as no such incident was occurred. The petitioner was arrested on 02.04.2025 and since then, he was in judicial custody. The entire investigation is completed and the victim has not sustained any injuries. 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 and the investigation is under progress. At this stage, if the petitioner is enlarged on bail, he will interfere with the investigation and influence the witnesses. Hence, the petitioner is not entitled for grant of bail.

6. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that the victim is none other than the wife of the petitioner and there are matrimonial disputes pending between them. Learned Additional Public Prosecutor placed the instructions furnished by the Sub-Inspector of Police, Gachibowli Police Station, dated 20.05.2025, wherein it is stated that the petitioner was arrested on 02.04.2025 and thirteen witnesses were examined and the petitioner is not having any criminal antecedents.

7. 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 X Additional Judicial First class Magistrate, Ranga Reddy District at Kukatpally.
- (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 not interfere with the investigation or influence the witnesses.
- (iv) The petitioner/accused 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: 18.06.2025

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