

The Hon'ble Sri Justice J.Sreenivas Rao

Criminal Petition No.6825 of 2025

Order:

This Criminal Petition is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') seeking anticipatory bail to the petitioners/accused Nos.1, 2, 4 & 5 in Crime No.163 of 2025 of Vemulawada Police Station, Rajanna-Sircilla District, registered for the offences punishable under Sections 329(4), 118(1), 115(2) & 351(2) r/w 3(5) of the Bharatiya Nyaya Sanhitha, 2023 (for short 'BNS').

2. The case of prosecution in brief is that on 26.03.2025 at about 08:00 hours, the complainant lodged a complaint, stating that his brother and sister in-law (petitioner No.1/accused No.1) had matrimonial disputes and on 26.03.2025, at about 12:45 hours, petitioners criminally entered into his house by breaking the lock and prevented his mother from entering the house and with the intervention of police, the matter subsided, but in the night at about 07:30 hours, petitioners again came to his house and beat his sister. When questioned,

petitioners attacked the complainant and others with rods, iron hammer, bat, beer bottle and stone and tried to kill them. Basing on the said complaint, the present crime is registered against the petitioners for the aforesaid offences.

3. Heard Mr. G.M.Ravi Kumar, learned counsel for the petitioners/accused Nos.1, 2, 4 & 5 and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent-State.

4. Learned counsel for the petitioners submits that the petitioners have not committed any offence and they were falsely implicated in this case. He further submits that there are matrimonial disputes between the complainant's brother and sister-in-law (petitioner No.1) and the present case has been filed as a counter blast to the case filed by petitioner No.1 against the complainant and others, which was registered as Crime No.164 of 2025 of Vemulavada Police Station. He further submits that though initially the crime was registered for the offences under Sections 329(4), 118(1), 115(2) & 351(2) of the BNS, subsequently at the instance of the complainant,

the offence under Section 118(1) of BNS was altered to Section 118(2) of BNS with an intention to harass the petitioners though the ingredients thereof are not attracted against them. It is further submitted that petitioners No.1, 2 and 3 are women and petitioner No.4 is eking out his livelihood by driving auto and they do not have any criminal antecedents. Learned counsel, therefore, prays that the petitioners be granted anticipatory bail as they are ready and willing to cooperate with the investigation and abide by the conditions as may be imposed by this Court.

5. On the other hand, learned Additional Public Prosecutor submits that there are specific allegations levelled against the petitioners and the investigation is under progress. Therefore, if the petitioners are granted anticipatory bail at this stage, there is every chance of their influencing the witnesses and interfering with the investigation. Hence, prayed to dismiss the criminal petition.

6. Having considered the rival submissions made by respective parties and after perusal of the material available on

record, it reveals that there are case and counter-case pending between the parties and the complainant is none other than the brother of husband of petitioner No.1 and at the instance of husband of petitioner No.1 only, the complainant lodged the present complaint against the petitioners as a counterblast to the complaint filed by petitioner No.1 against the complainant and others, which was registered as Crime No.164 of 2025 of Vemulawada Police Station. The record further reveals that petitioner No.1 has filed maintenance case *viz.*, M.C.No.29 of 2025 against her husband and the same is pending on the file of the Principal Family Court, Secunderabad.

7. In view of the same, this Court is inclined to grant anticipatory bail to the petitioners/accused Nos.1, 2, 4 & 5, subject to the following conditions:

- i. The petitioners/accused Nos.1, 2, 4 & 5, shall surrender before the Station House Officer, Vemulawada Police Station, on or before 23.06.2025, and on such surrender, the said Station House Officer shall release the petitioners/accused Nos.1, 2, 4 & 5, on bail on

each of them executing personal bonds for Rs.15,000/- (Rupees Fifteen Thousand only) with two sureties each for a like sum each.

ii. On such release, the petitioners/accused Nos.1, 2, 4 & 5, shall appear before the Station House Officer, Vemulawada Police Station, on every Saturday at 11:00 a.m. for a period of six (6) weeks or till filing of the charge sheet, whichever is earlier, for the purpose of investigation, and thereafter, as and when required.

iii. After release, the petitioners/accused Nos.1, 2, 4 & 5, shall not influence the witnesses or interfere with the investigation.

iv. The petitioners/accused Nos.1, 2, 4 & 5, shall abide by the conditions stipulated under Section 482(2) of BNSS and shall cooperate with the Investigating Officer in the investigation.

8. Accordingly, the Criminal Petition is allowed.

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

Date: 13.06.2025
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J.SREENIVAS RAO, J