

THE HON'BLE SRI JUSTICE SREENIVAS RAO
CRIMINAL PETITION No.6876 of 2025

Order:

This Criminal Petition is filed by the petitioner/accused, seeking anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS), in connection with Crime No.185 of 2025 of Bowenpally Police Station, Hyderabad District, registered for the offences punishable under Sections 109, 329 (3), 352, 351 (2) of the Bharatiya Nyaya Sanhitha, 2023 (for short 'BNS').

2. The case of prosecution in brief is that 10.05.2025 the complainant was present at his property located in Sy.No.47 situated at Old Bownpally for cleaning the site for construction, in the meanwhile petitioner came there, started shooting at workers by threatening them to stop work and a verbal exchange took place between them and when he was asked about his interference with the land, petitioner became violent and assaulted him by hitting and pushing him and when one Sundeepp Reddy tried to record the incident in his mobile the petitioner snatched and threw the phone and attacked him using iron hammer, due to which they sustained serious injuries. Basing on the said complaint, police registered a case in F.I.R.No.185 of 2025.

3. Heard Mr.K. Srikanth Reddy, learned counsel for the petitioner and Mr.Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent-State.

4. Learned counsel for the petitioner submitted that the petitioner has not committed any offence and he is falsely implicated in this case. Even according to the allegations made in the complaint against the petitioner are civil in nature. He further submitted that there are property disputes pending between the de facto complainant and petitioner before various courts and with a view to resolve the said property disputes only de facto complainant lodged the present complaint. He further submitted that ingredients under Section 109 of BNS are not attracted. The imprisonment for the other offences alleged against the petitioner are less than 7 years. He further submitted that the victim did not receive any injuries. Even according to the prosecution, entire investigation is completed except filing of charge sheet. The petitioner is not having any criminal antecedents and he is ready and willing 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 anticipatory bail.

5. On the other hand, learned Additional Public Prosecutor submitted that the petitioner has committed grave offence and there are specific

allegations leveled against the petitioner to attract the ingredients under Section 109 of BNS Act. The investigation is at threshold. Therefore, if the petitioner is granted anticipatory bail, at this stage, there is every chance to influence the witnesses and to interfere with the investigation. Hence, prayed to dismiss the petition.

6. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that between the petitioner and de facto complainant there are several civil disputes are pending in the various courts. The record further reveals that the petitioner submitted a representation before the Deputy Commissioner of Police, North Zone on 18.02.2025. The police officials are interfering in respect of the civil disputes which are pending before various courts i.e., O.S.No.38 of 2023, 40 of 2023, 48 of 2023, 581 of 2023, 111 of 2023, 112 of 2023, A.S.No.10 of 2019. Even according to the learned Additional Public Prosecutor the victims have not sustained any injuries and five witnesses were examined and the petitioner is not having any criminal antecedents.

7. Taking into consideration the said facts, this Court is inclined to grant anticipatory bail to the petitioner/accused subject to the following conditions.

1. The petitioner/accused shall surrender before the Station House Officer of Bowenpally Police Station, Hyderabad District, on or before 02.07.2025, and on such surrender, the said Station House Officer shall release the petitioner/accused on bail on his executing a personal bond for Rs.50,000/- (Rupees fifty thousand only) with two sureties, for a like sum each.
2. After release, the petitioner/accused shall appear before the concerned SHO on every Monday for a period of (06) weeks at 11:00 AM or till filing of charge sheet, whichever is earlier and thereafter, as and when required.
3. After release, the petitioner/accused shall not influence the witnesses or interfere with the investigation or contact the victim.
4. The petitioner/accused shall abide by the other conditions stipulated in Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhitha, 2023 and co-operate with the Investigating Officer in investigating the case.
5. After release, if the petitioner/accused is indulged in similar offence, liberty is granted to the respondent to file application for cancellation of anticipatory bail.
8. Accordingly, the Criminal Petition is allowed.

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

Date:26.06.2025
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J.SREENIVAS RAO, J

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Date:26.06.2025

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