

The Hon'ble Sri Justice J.Sreenivas Rao

Criminal Petition No.7111 of 2025

Order:

By a separate docket order passed today, the case against petitioner No.2/accused No.2 is dismissed as withdrawn.

2. This Criminal Petition is filed under Section 482 of the Bharatiya Nagarika Suraksha Sanhita, 2023 (for short, 'BNSS') seeking anticipatory bail to the petitioner/accused No.1 and 2 in Crime No.536 of 2025 of Saroornagar Police Station, Ranga Reddy District, registered for the offences punishable under Sections 329(4) and 118(1) r/w 3(5) of Bharatiya Nyaya Sanhitha, 2023 (for short 'BNS').

3. The case of prosecution in brief is that the complainant lodged a complaint with the Saroornagar Police Station stating that on 22.05.2025 at about 08:15 PM, two unknown masked persons approached him while he was sitting in the parking area of his apartment and pretending to deliver a courier, attacked him with paper cutting blades causing injuries to his

left cheek and right hand and fled away when he raised cries. Based on the said complaint, the aforesaid crime was registered against the petitioner/accused No.1 and accused No.2 for the aforesaid offences.

4. Heard Mr. A.Prabhakar Rao, learned counsel for the petitioner/accused No.1 and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent-State.

5. Learned counsel for the petitioner/accused No.1 submits that the petitioner has not committed any offence and he was falsely implicated in this case based on the alleged CCTV footage. Even according to the allegations made in the complaint, the petitioner was not present at the scene of offence and initially the crime was registered for the offences under Sections 329(4) and 118(1) r/w 3(5) of BNS for which the imprisonment is upto 7 years only, but later, with an intention to harass the petitioner, the police had altered the sections of law to Sections 61(2), 329(4) and 109 of BNS. Even according to the complaint the alleged offence had taken

place on 22.05.2025 at 20.15 hours whereas complainant lodged the complaint on 23.05.2025 at 19:00 hours without explaining the delay. Hence, he prays to grant anticipatory bail to the petitioner/accused No.1 as he is ready and willing to cooperate with the investigation and abide by the conditions as may be imposed by this Court.

6. On the other hand, learned Additional Public Prosecutor submitted that the petitioner has committed grave offence and though initially the names of the petitioners were not mentioned in the complaint, the police, after conducting investigation and basing on the CCTV footage, found that the petitioner and accused No.2 have committed the offence and the complainant sustained grievous injuries and there is life threat to the complainant in the hands of the petitioner and if the petitioner is granted anticipatory bail, there is every chance of his influencing the witnesses and interfering with the investigation. Hence, prayed to dismiss the petition.

7. Having considered the rival submissions made by respective parties and after perusal of the material available on record, it reveals that initially the crime was registered for the offences under Sections 329(4) and 118(1) r/w 3(5) of BNS for which the imprisonment is upto 7 years only, but later, the sections of law were altered to Sections 61(2), 329(4) and 109 of BNS. Even according to the learned Additional Public Prosecutor, petitioner is not having any criminal antecedents.

8. In view of the same, this Court is inclined to grant anticipatory bail to the petitioner/accused No.1, subject to the following conditions:

- i. The petitioner/accused No.1 shall surrender before the Station House Officer, Saroornagar Police Station, Rachakonda Commissionerate, on or before 25.06.2025, and on such surrender, the said Station House Officer shall release the petitioner/accused No.1 on bail on his executing a personal bond for Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties, for a like sum each.

- ii. On such release, petitioner/accused No.1 shall appear before the Station House Officer, Saroornagar Police Station, Rachakonda Commissionerate, on every Monday at 11:00 a.m. for a period of four (4) 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 petitioner/accused No.1 shall not influence the witnesses or interfere with the investigation.
- iv. Petitioner/accused No.1 shall abide by the conditions stipulated under Section 482(2) of BNSS and shall cooperate with the Investigating Officer in the investigation.

9. Accordingly, the Criminal Petition is allowed.

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

Date: 20.06.2025
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J.SREENIVAS RAO, J

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