

The Hon'ble Sri Justice J.Sreenivas Rao

Criminal Petition No.7051 of 2025

Order:

This Criminal Petition is filed by the petitioner/accused No.4 seeking anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (for short 'BNSS'), in connection with Crime No.433 of 2025 on the file of Station House Officer, Dundigal Police Station, Cyberabad, registered for the offences punishable under Sections 309(4), 319(2), 140(3) & 307 of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and Section 25(1B) of Arms Act, 1959.

2. The brief facts of the case are that on 26.04.2025 at about 21:00 hours, the Sub-Inspector of Police, Dundigal Police Station, received a complaint from the complainant to the effect that on 23.03.2025 at 20.30 hours, while he was driving home from Kompally to Pragathi Nagar, a group of people, who were in drunken condition came in a red swift car, hit his car near snake park and later when he stopped the car to

check the damage, those people abducted him by showing gun and tortured him by locking him in his car and attempted to kill him by pouring petrol and took away cash of Rs.50,00,000/- kept in his car along with his two phones and watch and made IMPS transfer of Rs.5,25,000/- and on the next day morning at 6:15 a.m., they released him by recording his statement that they did not demand any money from him and by threatening him with dire consequences in case he lodges a police complaint. Basing on the said complaint, the aforesaid crime was registered against the accused.

3. Heard Mr. Kommireddy Karam Chand, learned counsel for the petitioner/accused No.4 and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent/State.

4. Learned counsel for the petitioner submitted that the petitioner/accused No.4 has not committed any offence as alleged against him and the entire allegations are leveled against

other accused only and the ingredients of Sections 309(4), 319(2), 140(3) & 307 of BNS and Section 25(1B) of Arms Act are not attracted against the petitioner. Learned counsel further submits that even according to the complaint the alleged theft was committed to the tune of Rs.5,25,000/- but not for an amount of Rs.55,25,000/-. He further submits that very same allegations are leveled against A-7, who approached this Court and filed CrI.P.No.6762 of 2025 for grant of anticipatory bail and this Court allowed the said application on 09.06.2025 and enlarged on bail and the petitioner is not accused in any other crime and prays to grant anticipatory bail as he is ready and willing to cooperate with the investigation and abide by the conditions that may be imposed by this Court.

5. Per contra, learned Additional Public Prosecutor opposed the bail petition stating that the petitioner has committed a grave offence and the investigation is in progress and at this stage, if the petitioner is granted

anticipatory bail, he may influence the witnesses and interfere with the investigation and therefore, he is not entitled for grant of anticipatory bail.

6. Having considered the rival submissions made by learned counsel for the parties and after perusal of the material available on record, it reveals that accused Nos.1 to 3, 5, 6 and 8 were arrested on 27.04.2025. Even according to the learned counsel for the petitioner Nos.1, to 3, 5 and 6 were already enlarged on bail. The same was not disputed by the learned Additional Public Prosecutor. Even according to the learned Additional Public Prosecutor, ten witnesses were already examined and the petitioner is not accused in any other crime.

7. In view of the same, this Court is inclined to grant anticipatory bail in favour of the petitioner/accused No.4 subject to the following conditions:

- (i) Petitioner/Accused No.4 is directed to surrender before the Station House Officer, Dundigal Police Station, on or before 24.06.2025;
- (ii) On such surrender, the Station House Officer, Dundigal Police Station, shall release the petitioner/accused No.4 on bail on his executing a personal bond for a sum of Rs.50,000/- (Rupees Fifty thousand only) with two sureties for a likesum each to the satisfaction of the said Officer;
- (iii) On such release, petitioner/accused No.4 shall appear before the Station House Officer, Dundigal Police Station, on every Monday at 11:00 a.m., for a period of eight weeks for the purpose of investigation and thereafter, as and when required by the police for investigation.
- (iv) Petitioner/accused No.4 shall not interfere with the investigation nor influence the witnesses.
- (v) Petitioner/accused No.4 shall abide by the conditions stipulated under Section 438(2) of the Criminal Procedure Code, 1973/ Section 482 of BNSS and shall cooperate with the

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investigating officer for conclusion of
investigation.

8. Accordingly, the Criminal Petition is allowed.

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

Date:19.06.2025
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J.SREENIVAS RAO, J

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