

THE HON'BLE SRI JUSTICE SREENIVAS RAO
CRIMINAL PETITION No.7407 of 2025

Order:

This Criminal Petition is filed by the petitioner/accused No.5, seeking anticipatory bail under Section 482 of the Bharatiya Nagrik Suraksha Sanhita, 2023 (BNSS), in connection with Crime No.343 of 2025 of Ramachandrapuram Police Station, Cyberabad, registered for the offences punishable under Sections 118(2), 308(5), 140(3), 127(8), 117(4), 196 and 324(4) r/w 3(5) of the Bharatiya Nyaya Sanhitha, 2023 (for short 'BNS').

2. The case of prosecution in brief is that on 08.06.2025, while the de-facto complainant, who is the driver of the vehicle was transporting a bull from Shivampet to Hyderabad, he was allegedly intercepted by the petitioner and others and caused injury to him. Basing on the same, present complaint is filed.

3. Heard Mr.J.C.Francis, 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 basing on the confession statement

given by the other accused, he was falsely implicated in this case. He further submitted that initially the crime was registered for the offences under Sections 126(2), 115(2), 118, 352 and 324(4) r/w 3(5) of BNS and the punishment prescribed for the said offences is below seven years and later the police altered the section of law into Section 118(2) of BNS, to avoid the procedure as contemplated under Section 35(3) of BNSS, though the ingredients of the Section 118(2) of BNS are not attracted against the petitioner. He further submitted that the petitioner is eking out his livelihood by doing agriculture and he is not having any other criminal antecedents. He further submitted that accused Nos.1 and 3 in the said crime were already enlarged on bail. He further submitted that the petitioner 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 the victim sustained grievous injuries in the hands of the petitioner and other accused and the investigation is under progress. 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 initially the crime was registered for the offences under Sections 126(2), 115(2), 118, 352 and 324(4) r/w 3(5) of BNS and the punishment prescribed for the said offences is below seven years and later the police altered the section of law into Section 118(2) of BNS. Even according to the learned Additional Public Prosecutor, accused Nos.1 and 3 in the said crime were arrested on 08.06.2025 and 09.06.2025 and they were already enlarged on bail and petitioner is not having any other criminal antecedents.

7. Taking into consideration the said facts, this Court is inclined to grant anticipatory bail to the petitioner/accused No.5 subject to the following conditions.

1. The petitioner/accused No.5 shall surrender before the Station House Officer of Ramachandrapuram Police Station, Cyberabad, on or before 03.07.2025, and on such surrender, the said Station House Officer shall release the petitioner/accused No.5 on bail on his executing a personal bond for Rs.20,000/- (Rupees twenty thousand only) with two sureties, for a like sum each.

2. After release, the petitioner/accused No.5 shall appear before the concerned SHO at 11.00 A.M. on every Sunday, for a period of four (4) weeks or till filing of charge sheet whichever is earlier, for the purpose of investigation and thereafter, as and when required.
 3. After release, the petitioner/accused No.5 shall not influence the witnesses or interfere with the investigation.
 4. The petitioner/accused No.5 shall abide by the other conditions stipulated in Section 482 (2) of BNSS and co-operate with the Investigating Officer in investigating the case.
8. Accordingly, the Criminal Petition is allowed.

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

Date: 27.06.2025
vsl

J.SREENIVAS RAO, J