

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No. 7114 of 2025

ORDER:

This Criminal Petition is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) by the petitioner/accused No.4 seeking anticipatory bail in the event of his arrest in Crime No.63 of 2025 of Tekumatla Police Station, Jayashankar Bhupalapally District, registered for the offences punishable under Sections 109, 351(3), 308(2) and 324(2) read with 190 of the Bharatiya Nyaya Sanhita, 2023 (BNS).

2. The case of prosecution in brief is that the *de facto* complainant lodged a complaint stating that on 16.04.2025 at about 6:00 hours that he is having own tractor and eking iut his livelihood by running tractor. On 14.04.2025 at about 03:00 hours, he went to plough agriculture fields of Gouda Sammaiah. In the meantime, Gouda Sammaiah told to plough a way, which is connected to his fields, on that he called Veeramusti Rajaiah and his wife Veeramusti Suvarna, who also connected to the same way. Later, with the consent of all the above persons, he started ploughing said way with his

tractor. On the same day, evening at about 04:00 hours, while he was ploughing, the petitioner, accused Nos.1 to 3 and others came in white car armed with iron rods and roll sticks with an intention to kill him, attacked and beat him with iron rod on his head, left hand and waist forcibly. The accused persons uttered that they will kill him and Gouda Sammaiah. On observing the same, Gouda Sammaiah and his wife Shailaja tried to rescue him, but they also got beaten and removed the air from the tractor tyre and had taken the tractor keys. Hence, the complaint.

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

4. Learned counsel for the petitioner submitted that the petitioner has not committed the alleged offences and he was falsely implicated in the present crime. Even according to the allegations made in the complaint, there are no specific allegations levelled against the petitioner to attract the ingredients of 109 of the BNS and the punishment for the other offences is up to seven years. The entire allegations are

levelled against the other accused persons. He further submitted that accused Nos.1 and 2 were granted anticipatory bail on 28.04.2025 in CrI.M.P.No.133 of 2025 and accused No.3 was granted regular bail on 11.06.2025 in CrI.M.P.No.167 of 2025 on the file of the Principal Sessions Judge, Jayashankar Bhupalapally District. The petitioner is eking out his livelihood by doing private employment and he is not having any criminal antecedents. The petitioner is ready and willing to cooperate with the investigation and also comply with the conditions, which are going to be imposed by this Court. Hence, the petitioner may be granted anticipatory bail.

5. *Per contra*, learned Additional Public Prosecutor submitted that the petitioner has committed grave offences and the investigation is under progress. At this stage, if the petitioner is granted anticipatory bail, he will interfere with the investigation and influence the witnesses. Hence, the petitioner is not entitled to seek anticipatory bail.

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

record, it reveals that accused Nos.1 and 2 were enlarged on anticipatory bail on 28.04.2025 in CrI.M.P.No.133 of 2025 and accused No.3 was granted regular bail on 11.06.2025 in CrI.M.P.No.167 of 2025 by the Principal Sessions Judge, Jayashankar Bhupalapally, and the same was not disputed by the learned Additional Public Prosecutor. Even according to the learned Additional Public Prosecutor, the petitioner is not having any criminal antecedents.

7. Taking into consideration the facts and circumstances case, this Court is inclined to grant anticipatory bail to the petitioner/accused No.4 with the following conditions:

- (i) The petitioner/accused No.4 is directed to surrender before the Station House Officer, Tekumatla Police Station, Jayashankar Bhhupalally District, on or before 30.06.2025 and on such surrender, he shall be enlarged on bail on his executing a personal bond for a sum of Rs.30,000/-(Rupees thirty thousand only) with two sureties for a like sum each.
- (ii) On such release, the petitioner/accused No.4 shall appear before the Station House Officer, Tekumatla Police Station, Jayashankar Bhhupalally District, on every Monday at 11:00 a.m. for a period of six (6) weeks or till filing of the charge sheet, whichever is earlier.

(iiv) The petitioner/accused No.4 shall abide by the conditions stipulated under Section 482 (2) of the BNSS and shall cooperate with the Investigating Officer in the investigation.

8. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

J.SREENIVAS RAO, J

Date: 23.06.2025
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