

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.7175 of 2025

ORDER:

This Criminal Petition is filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhitha, 2023 (for short 'BNSS') seeking bail to the petitioner/accused No.3 in Crime No.410 of 2025 on the file of the P.S.Banjara Hills, Hyderabad, registered for the offences punishable under Sections 109(1), 126(2), 351 (3) and 189 (4) of the Bharatiya Nyaya Sanhitha, 2023 (for short 'BNS').

2. The case of the prosecution in brief is that on 12.05.2025 at about 4:45 a.m. at H.No.18-2-269/19/649, Indiranagar, Road No.2, Banjara Hills, Hyderabad, the petitioner and other accused formed into unlawful assembly armed with deadly weapons, blocked the passage of road and when they questioned for blockage of road passage, attacked on LWs.1 to 3 causing bleeding injuries with an intention to kill them, and threatened with dire consequences.

3. Heard Ms.Sandhya Rani Racharla, learned counsel representing M/s.Disha Law Firm appearing 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 the alleged offence and he was falsely implicated in the present crime. Even according to the allegations made in the complaint and in the remand case diary, the entire allegations are levelled against accused Nos.1 and 2 only and the ingredients of Section 109(1) of BNS are not attracted against the petitioner and the punishment prescribed for the other offences is below seven years. He further submitted that the petitioner was arrested on 16.05.2025 and since then he is in judicial custody. He further submitted that the petitioner is not having any other criminal antecedents and he is ready to abide by the conditions, which are going to be imposed by this Court and he will cooperate with the investigation. Hence, the petitioner may be enlarged on bail.

5. *Per contra*, learned Additional Public Prosecutor submitted that petitioner has committed a grave offence and there are serious allegations levelled against him and the investigation is under progress and if the petitioner is released on bail at this stage, he may tamper with

the evidence and may threaten the witnesses, and 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 the petitioner was arrested on 16.05.2025 and since then he is in judicial custody. Even according to the learned Additional Public Prosecutor, the victim has not sustained grievous injuries and 12 witnesses were already examined and the petitioner is not having any other criminal antecedents.

7. Taking into consideration the above said facts and circumstances of the case, this Court is inclined to grant bail to the petitioner/accused No.3, subject to the following conditions:

(i) The petitioner/accused No.3 shall execute a personal bond for a sum of Rs.20,000/-(Rupees Twenty Thousand only) with two sureties for a like sum each to the satisfaction of the III Additional Chief Metropolitan Magistrate at Nampally, Hyderabad.

(ii) After release, the petitioner/accused No.3 shall appear before the concerned SHO at 11.00 A.M. on every Monday, 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.

(iii) The petitioner/accused No.3 shall abide by the conditions stipulated in Section 480 (3) of BNSS.

8. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

JUSTICE J.SREENIVAS RAO

Date: 27.06.2025

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