

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION Nos.7192 and 7311 of 2025

COMMON ORDER:

These Criminal Petitions are filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhitha, 2023 (for short 'BNSS') seeking anticipatory bail to the petitioners/accused Nos.1 to 5 in Crime No.560 of 2025 on the file of Raidurgam Police Station, Cyberabad Commissionerate registered for the offences punishable under Sections 191 (2), 193 (3), 333, 109, 118 (1) and 196 read with 190 of Bharatiya Nyaya Sanhitha, 2023 (for short 'BNS') wherein the petitioners are arrayed as A-1 to A-4 in CrI.P.No.7192 of 2025 and A-5 in CrI.P.No.7311 of 2025.

2. Since all these criminal petitions are arising out of the same crime, this Court is disposing of all the criminal petitions by way of a common order.

3. The case of the prosecution is that on 11.06.2025, at approximately 12:10 AM, the complainant, filed a complaint stating that while he and his friends were at Chai Chaska café for tea and refreshments, a violent mob arrived in a white Fortuner (car bearing registration number AP 09 CD 5886) and a black Thar. The group, reportedly acting with malicious intent to disturb communal

peace, stormed the café shouting inflammatory and communal slurs. They physically assaulted the café's cashier, Amir Khan, and began vandalizing the premises, creating panic among customers and bystanders. The attackers proceeded to a nearby pan shop within the same premises, where they brutally beat a worker, Mohd Nadeem, with an iron rod while forcing him to chant "Jai Shri Ram," continuing to hurl communal abuse during the assault. Two other customers, Mohd Abdul Haseem and Mohd Samiullah, were also singled out and threatened with swords and daggers because of their religious appearance. The mob shouted provocative slogans such as "Mulla Bhago Desh Bachao" and "Goumata ki Jai," encouraging bystanders to join in and claiming that this was the beginning of ending a particular community. The incident posed a serious threat to the secular and peaceful coexistence in Hyderabad. Based on the same the F.I.R has been filed for aforementioned crimes.

4. Heard Mr.C. Raghu, learned senior counsel appearing on behalf of Mr. T.L.Nayan Kumar, learned counsel for petitioners and Mr.Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent-State.

5. Learned senior counsel for the petitioners submits that the petitioners have not committed the offence and they were falsely implicated in the above crime. Even according to the allegations made in the complaint ingredients under Section 109 of BNS are not attracted. The imprisonment for the other offences leveled against the petitioners is less than 7 years. The police at the instance of de facto complainant with an intention to harass the petitioners have added the offence under Section 109 of BNS though the ingredients are not attracting. He further submitted that the de facto complainant is running a café adjacent to the house premises of the petitioner Nos.1 and 2 and causing disturbance at late nights. When the petitioner made a request not to cause disturbance at that juncture, de facto complainant lodged the complaint. The victims have not sustained any injuries. The entire investigation is completed except filing of the charge sheet. The petitioners are not having any criminal antecedents. Learned counsel for the petitioners further submits that the petitioners shall abide by the conditions, which are going to be imposed by this Court, and they are ready to cooperate with the investigation. Hence, the petitioners may be enlarged on bail.

6. *Per contra*, learned Additional Public Prosecutor submitted that petitioners have committed grave offence. There are specific

allegations against petitioners that they have committed offence attracting ingredients under Section 109 of BNS. He further submitted that there are serious allegations against the petitioners and investigation is at threshold. Taking into consideration the above said grounds, the petitioners are not entitled for grant of anticipatory bail. At this stage, if the petitioners are granted bail, they will interfere with the investigation and influence the witnesses. Hence, prayed to dismiss these petitions.

7. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that basing on the complaint lodged by the de facto complainant Crime No.560 of 2025 was registered on 11.06.2025. The specific contention of the learned senior counsel for the petitioners that *de facto* complainant, is running café adjacent to the house of petitioners/A-1 and A-2 at late hours and also creating disturbance and when the petitioners requested the de facto complainant not to cause any disturbance, at that juncture particular incident was occurred and the ingredients under Section 109 of BNS are not attracted. Even according to the learned Additional Public Prosecutor the victims sustained

simple injuries and the petitioners are not having any criminal antecedents.

8. Taking into consideration the said facts, this Court is inclined to grant anticipatory bail to the petitioners/accused Nos.1 to 5 subject to the following conditions.

1. The petitioners/accused Nos.6 to 8 shall surrender before the Station House Officer of Raidurgam, Police Station, Cyberabad Commissionerate, on or before 02.07.2025, and on such surrender, the said Station House Officer shall release the petitioners/accused Nos.1 to 5 on bail on their executing a personal bond for Rs.25,000/- (Rupees twenty five thousand only) with two sureties, for a like sum each.
2. After release, the petitioners/accused Nos.1 to 5 shall appear before the concerned SHO on every Monday at 11:00 hours for a period of (06) weeks or till filing of charge sheet, whichever is earlier and as and when required thereafter.
3. After release, the petitioners/accused Nos.1 to 5 shall not influence the witnesses or interfere with the investigation.
4. The petitioners/accused Nos.1 to 5 shall abide by the other conditions stipulated in Section 482 (2) Bharatiya Nagarik Suraksha Sanhitha, 2023 and co-operate with the Investigating Officer in investigating the case.
5. The petitioners/accused Nos.1 to 5 after release on anticipatory bail, if they are indulged in similar offence, liberty is granted to the respondent to file application for cancellation of anticipatory bail.

9. Accordingly, the Criminal Petition are allowed.

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

J.SREENIVAS RAO, J

Date: 24.06.2025
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CRIMINAL PETITION Nos.7192 and 7311 of 2025

Date:24.06.2025

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