

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.7289 of 2025

ORDER:

This Criminal Petition is filed under Section 482 of the Bharatiya Nagarika Suraksha Sanhita, 2023 (for short, 'BNSS') seeking anticipatory bail to the petitioners/accused Nos.1 and 7 in Crime No.267 of 2025 of Peddapalli Police Station, Ramagundam, registered for the offence punishable under Section 109(1) r/w 3(5) of the Bharatiya Nyaya Sanhitha, 2023 (for short 'BNS').

2. The case of prosecution in brief is that on 10-06-2025 the complainant, lodged a complaint, stating that due to previous grudges, accused No.1, her relative, attacked her elder son and younger son with a sharp iron rod, intending to kill them. Meanwhile, accused Nos.2 to 6 and others restrained the victims. As a result, Srikanth sustained bleeding injuries to his stomach and chest, while Jayaprakash received injuries on his back. Upon hearing their cries, neighbors rushed to the spot, rescued the injured, and shifted them to Ramakanth Hospital, Peddapalli, and later to Medicoover Hospital, Karimnagar. Basing on the said complaint, the present crime is registered for the aforesaid offences.

3. Heard Mr.S.Surender Reddy, learned counsel for the petitioners and Mr.Syed Yasar Mamoon, learned Additional Public Prosecutor for the respondent-State.

4. Learned counsel for the petitioners submitted that the petitioners have not committed any offence and they were falsely implicated in this case. Even according to the allegations made in the complaint, the alleged incident taken place on 09.06.2025 at 10:30 PM whereas the de-facto complainant lodged a complaint on 10.06.2025 at 13:00 hrs, without giving any reasons for the delay and the ingredients of Section 109(1) of BNS are not attracted against the petitioners. He further submitted that petitioner No.1/accused No.1 sustained grievous injuries in the hands of sons of the de-facto complainant and the sister of petitioner No.1/accused No.1 lodged a complaint against the sons of the de-facto complainant on 10.06.2025 and basing on the same, Crime No.269 of 2025 was registered. Despite the fact that Petitioner No.1/accused No.1 sustained grievous injuries and is still undergoing treatment in the hospital, the police have registered the said crime only for the offences punishable under Sections 118(1), 351(2), and 3(5) of the Bharatiya Nyaya Sanhita (BNS). Whereas, basing on the complaint lodged by the de-facto complainant, present crime was registered for the major offence under Section 109(1) r/w 3(5) of BNS with an oblique

motive, to harass the petitioners. He further submitted that there are disputes between petitioner No.2/accused No.7 and de-facto complainant and to dissolve the said disputes only the de-facto complainant lodged the present complaint. He further submitted that petitioners are not having any other criminal antecedents and petitioner No.2/accused No.7 is retired employee, aged about 67 years and they are ready and willing to cooperate with the investigation and will abide by the conditions, which are going to be imposed by this Court and hence, prayed for anticipatory bail.

5. On the other hand, learned Additional Public Prosecutor submitted that the petitioners committed grave offence, and the victims sustained grievous injuries and the investigation is under progress. Therefore, if the petitioners are granted anticipatory bail, 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 respective parties and after perusal of the material available on record, it reveals that the sister of petitioner No.1/accused No.1 lodged a complaint against the sons of the de-facto complainant and basing on the same, Crime No.269 of 2025 was registered and basing on the complaint lodged by

the de-facto complainant, present crime was registered. Learned Additional Public Prosecutor, placed the medical reports of the victims, which shows that the victims sustained stab injuries in multiple regions of the body, including the left first web space, bilateral scapular regions, chest, abdomen, and pelvic areas. Specifically, injuries were noted at the angle of the lips, right clavicular region of the chest, areolar region, sternal region, epigastric region, right lumbar area, umbilical region, and hypogastric region. Immediate resuscitative measures were undertaken upon admission, indicating the severity of the injuries.

7. Taking into consideration the facts and circumstances of the case, since there are serious allegations against the petitioner No.1/accused No.1, to attract the ingredients of Section 109 of BNS, this Court is not inclined to grant anticipatory bail to petitioner No.1/accused No.1. Hence, the petition stands dismissed in respect of petitioner No.1/accused No.1.

8. Insofar as Petitioner No.2/Accused No.7, is concerned, since the only allegation against him is that he allegedly provoked the other accused to commit the offence, and considering that he is a retired employee aged about 67 years and suffering from old age ailments, this

Court is inclined to grant anticipatory bail to the petitioner No.2/accused No.7, subject to the following conditions:

1. The petitioner No.2/accused No.7 shall surrender before the Station House Officer of Peddapalli Police Station, Ramagundam, on or before 03.07.2025, and on such surrender, the said Station House Officer shall release the petitioner No.2/accused No.7 on bail on his executing a personal bond for Rs.30,000/- (Rupees thirty thousand only) with two sureties, for a like sum each.
2. After release, the petitioner No.2/accused No.7 shall appear before the concerned SHO on every Monday at 11-00 a.m. for a period of eight (8) weeks or till filing of the charge sheet, whichever is earlier, for the purpose of investigation, and thereafter, as and when required as and when required.
3. After release, the petitioner No.2/accused No.7 shall not influence the witnesses or interfere with the investigation.
4. The petitioner No.2/accused No.7 shall abide by the other conditions stipulated in Section 482 (2) of BNSS and co-operate with the Investigating Officer in investigating the case.

9. Accordingly, the Criminal Petition is allowed in part.

As a sequel thereto, miscellaneous applications, if any, pending in this petition stand closed.

J. SREENIVAS RAO, J

Date: 27.06.2025.

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