

THE HON'BLE SRI JUSTICE SREENIVAS RAO
CRIMINAL PETITION No.7926 of 2025

Order:

This Criminal Petition is filed by the petitioners/accused Nos.2 to 4, seeking anticipatory bail under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), in connection with Crime No.145 of 2025 of Bichkunda Police Station, Kamareddy District, registered for the offence punishable under Section 109 r/w. 3 (5) of the Bharatiya Nyaya Sanhitha, 2023 (for short 'BNS').

2. The case of prosecution in brief is that accused No.3 and the de-facto complainant were involved in a longstanding property dispute between their families. In an attempt to resolve the issue through violent means, accused Nos.2 and 3 conspired to eliminate the complainant by hiring contract killers. As part of the conspiracy, accused No.2 assumed full responsibility for executing the plan. He approached accused No.5 and shared the details. Accused No.5 then introduced accused Nos.1, 6, and 7 to carry out the murder. The deal was finalized for Rs.2,00,000, of which Rs.50,000 was paid in advance by accused No.2. On 13.06.2025, the group agreed to proceed. On 15.06.2025, accused No.6 coordinated a meeting near

Halani village, and the group traveled to Deglur. There, accused No.2 identified the complainant and finalized the plan. He provided accused No.1 with a motorcycle, a new T-shirt, a knife, and a punch weapon for the attack. Later that day, around 19:00 hours, accused No.1, acting under the direction of accused Nos.2 to 4, attacked the complainant with a knife, causing bleeding injuries. After the assault, accused No.1 fled the scene. Basing on the said complaint, the present crime is registered for the aforesaid offences.

3. Heard Mr.Mohd.Moin Ahmed Quadri, 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. He further submitted that there are civil disputes between the petitioners and the de-facto complainant. The petitioners along with others filed suit vide O.S.No.3 of 2022 on the file of Principal District and Sessions Judge at Kamareddy seeking declaration of title and perpetual injunction and the petitioners were succeeded in the said suit, pursuant to the judgment and decree passed by the learned Sessions Judge on 05.01.2024. Aggrieved by the said

judgment and decree, the de-facto complainant and others filed A.S.Nos.58 and 162 of 2024, before this Court and the same are pending. To settle the civil disputes, they implicated the petitioners in the present crime. Even according to the allegations made in the complaint, ingredients of Section 109 of BNS are not attracted against the petitioners, on the ground that victims have not sustained any grievous injuries. He further submitted that petitioner No.1 is aged about 61 years and suffering with old age ailments and petitioner Nos.2 and 3 are eking out their livelihood by doing small business. He further submitted that the petitioners are 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 anticipatory bail.

5. On the other hand, learned Additional Public Prosecutor submitted that the petitioner has committed grave offence and the investigation is under progress. Therefore, if the petitioners are 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 there are civil disputes between the petitioners and the de-facto complainant. Even according to the learned counsel for the petitioners, the petitioners is that petitioners have succeeded in civil suit vide O.S.No.3 of 2022 on 05.01.2024. Aggrieved by the same, the de-facto complainant and others filed appeal suit vide A.S.Nos.58 and 162 of 2024 and the same are pending. Even according to the learned Additional Public Prosecutor, accused Nos.1, 5 to 7 were arrested on 22.06.2025 and 12 witnesses were examined and the victim has sustained only simple injuries.

7. Taking into consideration the said facts, this Court is inclined to grant anticipatory bail to the petitioners/accused Nos.2 to 4 subject to the following conditions.

1. The petitioners/accused Nos.2 to 4 shall surrender before the Station House Officer of Bichkunda Police Station, Kamareddy District, on or before 12.07.2025, and on such surrender, the said Station House Officer shall release the petitioners/accused Nos.2 to 4 on bail on each of them 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.2 to 4 shall appear before the concerned SHO at 11.00 A.M. on every Monday, for a period of eight (8) 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 petitioners/accused Nos.2 to 4 shall not influence the witnesses or interfere with the investigation.
 4. After release, if the petitioners/accused Nos.2 to 4 indulges in similar offence, the respondent-State is entitled to file an application seeking cancellation of the anticipatory bail granted by this Court in their favour.
 5. The petitioners/accused Nos.2 to 4 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.
9. Accordingly, the Criminal Petition is allowed.

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

J.SREENIVAS RAO, J

Date: 04.07.2025
lk