

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CRIMINAL PETITION No.9483 of 2025

ORDER:

This Criminal Petition has been filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') by the petitioner/accused No.3, seeking bail in connection with Crime No.102 of 2025 on the file of the Mallareddigudem (Chinthalapalem) Police Station, Suryapet District registered for the offences punishable under Sections 109, 352, 351(2) and 111(4) r/w 190 of the Bharatiya Nyaya Sanhita, 2023 (BNS).

3. The case of prosecution in brief is that the *de-facto* complainant lodged a complaint with the police alleging that while she along with her family members was ploughing their land admeasuring Ac.13-00, Huzurnagar villagers, Thatikonda Hymavathi and her father Thatikonda Narsireddy supporters attacked her family with axes, sticks and hunting scythe and when they ran away, they tried to kill them and threatened that they will kill them. Based on the said complaint, the present crime was registered for the aforesaid offences.

2. Heard Mr.S.Chandra Mohan Reddy, learned counsel for the petitioners and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for respondent-State.

4. Learned counsel for the petitioner submitted that the petitioner is innocent person and he did not commit the alleged offences. He further submitted that there are civil disputes pending between accused No.1 and the de-facto complainant, and since the petitioner has been carrying out agricultural activities in the land of accused No.1, the de-facto complainant has falsely implicated the petitioner in the present crime and the ingredients of Section 109 of the BNS are not attracted against the petitioner. He further submitted that accused Nos.1, 2 and 4 to 22 have approached this Court and filed CrI.P.No.8736 of 2025 and this Court allowed the said petition on 22.07.2025. He further submitted that the petitioner was arrested on 08.07.2025 and since he is in judicial custody and he is 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 grant of bail.

5. *Per contra*, learned Additional Public Prosecutor opposed the bail petition and submitted that the petitioner has committed grave offences and is involved in ten criminal cases, which are presently pending against him. He further submitted that 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. By way of reply, learned counsel for the petitioner submitted that in all the cases pending before the competent Court, the petitioner has been enlarged on bail, and mere pendency of such cases cannot be a ground to deny bail in the present crime.

7. 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 08.07.2025 and since then he is in judicial custody. The record further reveals that accused Nos.1, 2 and 4 to 22 have approached this Court and filed CrI.P.No.8736 of 2025 and this Court allowed the said petition on 22.07.2025.

8. Taking into consideration the 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.50,000/-(Rupees fifty Thousand only) with two sureties for a like sum each to the satisfaction of the learned Additional Judicial First Class Magistrate at Huzurnagar.

(ii) The petitioner/accused No.3 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.

(iii) After release, if the petitioner/accused No.3 indulges in similar offence, the respondent-State and the *de-facto* complainant are entitled to file an application seeking cancellation of the bail granted by this Court in his favour.

(iv) The petitioner/accused No.3 shall abide by the conditions stipulated in Section 483 (3) of BNSS.

9. Accordingly, the Criminal Petition is allowed.

Miscellaneous applications, pending if any, shall stand closed.

J. SREENIVAS RAO, J

Date:04.08.2025

vsl