

THE HON'BLE SRI JUSTICE J.SREENIVAS RAO

CRIMINAL PETITION No.9621 of 2025

ORDER:

This Criminal Petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') by the petitioner/accused No.7, seeking anticipatory bail in connection with Crime No.213 of 2025 on the file of the Station House Officer, Mancherial Town Police Station, Mancherial District registered for the offence punishable under Section 109 r/w 3 (5) of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS').

2. Heard Mr.V.V.Ramana Rao, learned counsel for the petitioner and Mr. Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for respondent-State.

3. The case of prosecution in brief is that on 02.04.2025 at about 2-00 hours the *de facto* complainant lodged a complaint with the police alleging that on 01.04.2025 at about 7-30 p.m., while he and his friends were discussing issues related to Sravan's family in a room at the Land Mark Lodge near Srinivas Garden, someone knocked on the door. His friend Revanth opened the door, and a known

associate of Revanth, namely Sandeep, along with two others, attacked Revanth. The complainant and others intervened and tried to stop the attackers. At that point, Sandeep and another person fled away from the scene. They managed to stop the third person and asked him why he was attacking Revanth. He identified himself as Saketh and stated that there were old disputes between Revanth and Sandeep. He further stated that, after seeing a "Snapchat" photo of Revanth on WhatsApp, he, Sandeep, and their friend Nikil decided to attack Revanth. He added that he also ran away while threatening that they would "see their end." Sometime later, with the intention to kill, they returned and attacked the complainant with a beer bottle, causing bleeding injuries to the back of his head and below his left eye. They similarly attacked Parvathalu, who sustained a bleeding injury on his head, and also attacked Sreekanth with a beer bottle, causing an injury to his left foot. Thereafter they went away by leaving them. On enquiry they came to know their names as 1. Sandeep, 2. Saketh, 3. Ashroj, 4. Achyuth, 5. Nikil, 6.Siva and 7.Vivek and they all came to kill them with Beer bottles and caused injuries. Based on the said complaint, the present crime was registered for the aforesaid offences. Based on the above

said complaint, the present crime was registered for the aforesaid offences.

4. Learned counsel for the petitioner submitted that the petitioner has not committed the offence and he was falsely implicated in this case. There is no allegation against the petitioner that he was present at the scene of offence and the ingredients of Section 109 of BNS are not attracted. The petitioner is prosecuting LL.B. in Adarsha Law College, Hanumakonda of Warangal District. The other accused were arrested and they were enlarged on bail and the entire investigation has been completed except filing of charge sheet. The petitioner is ready and willing to cooperate with the investigation and he will abide by the conditions, which are going to be imposed by this Court. Hence, prayed to grant anticipatory bail to the petitioner.

5. *Per contra*, learned Additional Public Prosecutor submitted that the petitioner has committed a grave offence and he was involved in several other crimes and the investigation is under progress. Therefore, at this stage, if the petitioner is granted anticipatory bail, he will repeat the same offence and he will interfere with the investigation and influence the witnesses. Hence, taking into consideration

his conduct, he is not entitled for grant of anticipatory bail.

6. Having considered the rival submissions made by the respective parties and after perusal of the material available on record, it reveals that accused Nos.1 to 6 were arrested and even according to the learned Additional Public Prosecutor, they were enlarged on bail. Learned Additional Public Prosecutor basing upon the written instructions furnished by the Sub-Inspector of Police, Mancherial Police Station submits that 13 witnesses were already examined and the victim has sustained simple injuries. The record further reveals that the petitioner is prosecuting 2nd year LL.B. in Adarsha Law College, Hanumakonda.

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

- i) The petitioner/accused No.7 is directed to surrender before the S.H.O., Mancherial Town Police Station, on or before 12.08.2025 and on such surrender, the said Station House Officer is directed to release the petitiones/accused No.7 on bail on his executing a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousands only), with two sureties for a like sum each to his satisfaction.

- ii) After release, petitioner/accused No.7 shall appear before the concerned S.H.O. at 11-00 a.m. on every Sunday for a period of six (6) weeks or till filing of charge sheet, whichever is earlier, for the purpose of investigation and thereafter, as and when required.
 - iii) After release, the petitioner/accused No.7 shall not interfere with the investigation and not influence the witnesses and shall not contact the *de facto* complainant in any manner.
 - iv) After release, if the petitioner/accused No.7 indulges in similar offence, the respondent-State is entitled to file application seeking cancellation of the bail.
 - v) After release, if the petitioner/accused No.7 shall abide by the conditions stipulated under Section 482 (2) of BNSS.
8. Accordingly, the Criminal Petition is allowed.

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

JUSTICE J.SREENIVAS RAO

Date: 04.08.2025
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