

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.9929 of 2025

ORDER:

Seeking the Court to enlarge the petitioner who is arrayed as accused in Crime No.318 of 2025 of Vemulawada Town Police Station, Rajanna Sircilla, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 18.05.2025 at Arepalli Stage and Rudravaram Bus Stage of Vemulawada, the accused, while driving car No.TS08GJ8526, allegedly drove in a rash and negligent manner, fully aware that his act was likely to cause harm or death. He first dashed against Yakathiri Dhassaiah, who was riding a Glamour bike No.AP39HX2694, causing him severe head injuries and resulting in his death on the spot. Thereafter, at Arepalli Stage, the accused hit the son of the complainant, Malyala Pandarinath, and his pillion rider, Duddheti Chusadhu, who were travelling from Venkataravupalli to Vemulawada on a Pulsar bike No.TS23 3878. As a result, the son of the complainant sustained fatal head injuries and died on the spot, while the pillion rider sustained bleeding injuries.

3. Heard Sri Boosa Shiva Chandra, learned counsel appearing on behalf of the petitioner as well as Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing on behalf of the respondent – State.

4. Learned counsel for the petitioner submitted that the petitioner was innocent of the alleged offence and did not plead guilty, contending that the case was foisted by the de facto complainant for statistical purposes and that the petitioner was falsely implicated under Sections 105 and 125(a) of the Bharatiya Nyaya Sanhita, 2023, although he had no role in the incident. The allegations against the petitioner were false, baseless, and made at the instance of interested persons and that the contents of the complaint did not attract the ingredients of the alleged sections, which were based only on circumstantial evidence. It was contended that Section 105, relating to culpable homicide not amounting to murder, required an element of intention, which was absent in this case, as the incident arose from a traffic accident without premeditated criminal intent. The petitioner himself suffered injuries to the forehead and left wrist, further indicating the absence of conscious criminality. The petitioner, a permanent

resident of Vijayapuri Colony, Karimnagar, with no prior criminal record, had voluntarily surrendered on 09.07.2025 and had not absconded after the incident on 18.06.2025. He was arrested 26 days after the FIR, and there was no need for further custodial interrogation. Therefore, he prayed the Court to grant bail to the petitioner by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner, stating that the petitioner had committed two accidents and that there were serious allegations against him. He contended that, at this stage, granting bail to the petitioner did not arise and, therefore, prayed the Court to dismiss the criminal petition.

6. In light of the submissions made by both learned counsel and upon perusal of the material available on record, the alleged offences against the petitioner are under Sections 105 and 125(a) of the BNS. The petitioner has been in jail since 09.07.2025. As seen from the record, 19 witnesses have been examined and the material part of the investigation has been completed. Considering the facts and circumstances of the case and the investigation conducted by the Investigating Officer, this

Court deems it fit to grant bail to the petitioner, subject to the following conditions:

- i. The petitioner shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each, with two sureties for a like sum each to the satisfaction of the learned Judicial Magistrate of First Class, Vemulawada.
- ii. The petitioner shall appear before the concerned SHO at 11:00 a.m., on every Monday for a period of eight (8) week or till filing of charge sheet whichever is earlier, for the purpose of investigation, and thereafter, as and when required.
- iii. The petitioner shall abide by the conditions stipulated in Section 437(3) of Cr.P.C.(presently, Section 480(3) of the BNSS).

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 19.08.2025
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