

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.10490 of 2025

ORDER:

This Criminal Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of pre-arrest bail to the petitioners, who are arrayed as accused Nos.1 to 5 in Crime No.166 of 2025 on the file of Gollapally Police Station, Jagtial District.

2. The brief facts of the case are that on 06.08.2025 at about 07:10 hours, the complainant lodged a complaint stating that there were disputes between her husband (victim) and the accused with regard to chit amount. On 05.08.2022, when the complainant's husband attended the birthday party of one Dandla Sreenu, accused Nos.1 to 5 quarreled with him and beat him with their hands. The complainant's husband escaped and returned home. Subsequently, accused Nos.1 to 5 allegedly trespassed into the complainant's house and accused No.1 attacked the complainant's husband with knife. When the victim tried to defend himself with his hands, he sustained a bleeding injury on

his left hand. It is also alleged that the accused beat villagers who attempted to intervene, resulting in swelling injuries to some of them. The accused threatened the complainant's husband with dire consequences including threats to kill him. Based on the said complaint, the Police registered as case in Crime No.166 of 2025 under Section 292, 115(2), 118(1), 351(2), 329(4) r/w Section 3(5) of Bharatiya Nyaya Sanhita (BNS), 2023.

3. Heard Sri K.V. Subba Reddy learned counsel appearing on behalf of the petitioners as well as Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing on behalf of the respondent - State.

4. Learned counsel for the petitioners submitted that the petitioners are innocent and have been falsely implicated in the alleged crime. He further submitted that there are no specific allegations against accused Nos.2 to 5. Therefore, he prayed the Court to grant pre-arrest bail to the petitioners by allowing this Criminal Petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioners contending that the victim sustained grievous injuries and that accused No.1 used knife to attack him. He further submitted that the allegations against accused No.1 are serious in nature. He also submitted that there are five previous cases against accused No.1. At this stage, granting of pre-arrest bail does not arise. Therefore, he prayed the Court to dismiss this Criminal Petition.

6. In the light of the submissions made by both the learned counsel and upon perusal of the material on record, it appears that there are specific allegations against accused No.1 including the use of knife to cause injury to the victim. Therefore, this Court is not inclined to grant pre-arrest bail to accused No.1 and the petition is dismissed insofar as accused No.1. However, in view of the absence of specific allegations against accused Nos.2 to 5 and considering the facts and circumstances of the case, this Court deems it fit to allow the petition with respect to accused

Nos.2 to 5 and grant anticipatory bail to petitioner Nos.2 to 5, subject to the following conditions:

- i. Petitioner Nos.2 to 5 shall surrender before the Station House Officer, Gollapalli Police Station, Jagitial, within two weeks from today, and on such surrender, the said Station House Officer shall release them on bail on executing a personal bond for Rs.25,000/- with two sureties, for the like sum each.
- ii. Petitioner Nos.2 to 5 shall abide by the other conditions stipulated in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023 and co-operate with the Investigating Officer in investigating the case.
- iii. Petitioners No.2 to 5 shall appear before the concerned Investigating Officer on every Wednesday between 09:00 a.m, and 05:00 p.m., till the filing of the charge sheet and thereafter, as and when required.

7. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 28.08.2025

PRN

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