

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.10595 of 2025

ORDER:

This Criminal Petition is filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) by the petitioners/accused Nos.5 and 6 seeking bail in Crime No.79 of 2025 of Doullhabad Police Station, Vikarabad District, registered for the offences punishable under Sections 103(1), 118(1) and 126(2) r/w 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short, 'BNS').

2. The case of the prosecution in brief is that on 30.06.2025 at 05:30 hours, the complainant lodged a complaint before the Police stating that his family owns 5 acres of agricultural land in Sy. No. 55, and they regularly pass through the fields of Dhanavath Vijay Kumar Naik of Hanmya Naik Thanda. On 29.06.2025 at around 12:00 hours, Vijay Naik, using a JCB, blocked their path. When the complainant, his brother Venkat Naik, and son Sriram approached him, Vijay Naik along with

other accused assaulted them, causing minor injuries. Later that night, around 22:00 hours, while returning to their Thanda, the complainant, his brother Venkat Naik, and others were attacked near Hanmya Naik Thanda by the accused, armed with iron rods and sticks. The complainant sustained injuries, his son Sriram suffered chest and hand injuries, and his brother Venkat Naik sustained severe head injuries. Venkat Naik was taken to the Government Hospital, Kodangal, but died while proceeding to Hyderabad. Basing on the same, present crime was registered.

3. Heard Sri M.Anil Kumar, learned counsel for the petitioners and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent-State.

4. Learned counsel for the petitioners submitted that the petitioners have not committed the alleged offences and have been falsely implicated in the present crime. He further submitted that the petitioners were arrested on 01.07.2025 and have been in judicial custody since then. He also submitted that the entire investigation has been completed, except for the filing of the

charge sheet. It was further submitted that similarly situated accused, i.e., accused Nos. 1 to 4, have already been released on bail. The petitioners are willing to cooperate with the investigation and are ready to abide by any conditions that may be imposed by this Court and hence, prayed for grant of bail.

5. On the other hand, the learned Additional Public Prosecutor submitted that the petitioners have committed grave offences and that the investigation is still in progress. It was further submitted that if the petitioners are released on bail at this stage, they may repeat the offence, interfere with the investigation, and influence the witnesses. Therefore, at this stage, the petitioners are not entitled to the grant of bail.

6. In light of the submissions made by both learned counsel and upon perusal of the material available on record, it is revealed that the alleged offences against the petitioners are under Sections 103(1), 118(1) and 126(2) r/w 3(5) of the BNS. The petitioners have been in judicial custody since 01.07.2025. As seen from the record, 14 witnesses have already been examined, and the material

part of the investigation has been completed. It is also noted that accused Nos. 1 to 4 have already been enlarged on bail. 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 petitioners, subject to the following conditions:

- i. The petitioners 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 Court, Kodangal, Vikarabad District.
- ii. The petitioners 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 petitioners 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 also stand closed.

K. SUJANA, J

Date: 22.08.2025
sa

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.10595 of 2025

Date: 22.08.2025

sa