

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.10670 OF 2025

ORDER :

This criminal petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner/A.5 seeking anticipatory bail in connection with Cr.No.877 of 2025 of Uppal Police Station, Rachakonda, Medchal-Malkajgiri District. The offences alleged against the petitioner are under Sections 121(2), 132, 191 (2) r/w.190 of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS').

2. The case of the prosecution is that the defacto complainant lodged a report stating that as per the instructions of SHO, he along with his staff were performing bandobast duties for Palaram Bandi procession organized by one person name Krishna Diamond, Bhagat Nagar, Ramanthapur on the occasion of Bonalu festival, at about 21.30 hours, they stopped a car that was being driven rashly towards the procession. The occupants of the car abandoned the vehicle and fled from the scene and after some time, a drunken person approached him and started arguing with them stating that the car belonged to him. As such, the car and individual were handed over to their staff and sent to police station, thereafter, a group of 8 or 9

persons gathered and started arguing as to why their associate was sent to police station, held his shirt collar and attacked him with hands and sticks. When the staff tried to interfere, they were also attacked indiscriminately with hands and sticks and when they tried to escape, they were chased and attacked by the accused. Hence, the complainant requested to take necessary action against the accused. Basing on the said complaint, the police registered the case against the accused for the above offences.

3. Heard Ms. B.Shirisha, learned counsel representing Sri Sadasivuni Mujeeb Kumar, learned counsel for the petitioner and Sri Syed Yasar Mamoon, learned Additional Public Prosecutor appearing for the respondent-State.

4. The contention of learned counsel for the petitioner is that the name of petitioner herein is not mentioned in the complaint. Petitioner belongs to a good family and he is a student and that he has only participated in the procession and not involved in any crime as no role is attributed to this petitioner, prayed this Court to grant anticipatory bail to the petitioner.

5. On the other hand, learned Additional Public Prosecutor opposed bail stating that the injured victims sustained grievous injuries. As such, the sections were altered from Section 121 (1) to 121 (2) of BNS. A.3 and A.4 were already arrested by the

police and they were granted regular bail, A.2 and A.6 were granted anticipatory bail and A.1 and A.5 were absconding. He further stated that A.1 was served with Section 35 (3) of BNSS as per the directions of this Court in CrI.P.No.9783 of 2025. The custody of this petitioner is required in this case, as such, requested this Court to dismiss this petition.

6. Considering the submissions made by both the counsel and material on record, the petitioner herein is A.5 and according to learned Additional Public Prosecutor A.2 and A.6 were already granted anticipatory bail and A.1 was served with Section 35 (3) of BNSS notice. Considering the same this Court deems it appropriate to grant bail to the petitioner subject to the following conditions:

- i. The petitioner/A.5 shall surrender before the Station House Officer, Uppal Police Station, Rachakonda, Medchal-Malkajgiri District within two weeks from today, and on such surrender, the said Station House Officer shall release the petitioner on bail on his executing a personal bond for Rs.25,000/- (Rupees Twenty five thousand only) with two sureties, for the like sum each.
- ii. The petitioner/A.5 shall appear before the concerned SHO at 11:00 a.m., on every Wednesday for a period of eight (8) weeks, for the purpose of investigation and thereafter, as and when required.
- iii. The petitioner/A.5 shall abide by the other conditions stipulated in Section 482(2) of BNSS and co-operate with the Investigating Officer in investigating the case.

7. Accordingly, the Criminal Petition is allowed.

Miscellaneous petitions, if any, pending shall stand closed.

K. SUJANA, J

Date :03.09.2025
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