

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.10810 of 2025

ORDER:

Seeking the Court to enlarge the petitioner who is arrayed as accused No.2 in Crime No.606 of 2025 of Alwal Police Station, Cyberabad Commissionerate, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that, on 11.06.2025, the *de-facto* lodged a report with the Police stating that he had been working as a tractor driver for the past 2–3 years. On the same day, he was driving a tractor to transport soil from Adarshnagar to Venkatapuram. A woman named Rajeswari was seated beside him on the tractor, while another person, Mallesh, was proceeding ahead along with the person responsible for the soil. While traveling from Adarshnagar towards Venkatapuram, the complainant took a right turn and, two individuals approached from the opposite direction on an Activa vehicle without a number plate. They stopped the tractor and began arguing with him, accusing him of not giving way. During the altercation, one of the individuals stabbed the complainant on his left hand with a knife approximately 15 inches in length. Mallesh

attempted to intervene and make a phone call, but one of the assailants struck him on the head and jaw with the handle of the knife, causing injuries. Another assailant kicked him in the groin area. Following the investigation, the police arrested Accused Nos.1 and 2 on 13.06.2025. As per the remand report, Accused No.2 has thirteen pending cases against him. The specific allegation in this case is that Accused No.2 forcibly assaulted LW.2 and kicked him with his knees in the stomach and on the testicles. Both accused were produced before the Court for the offences punishable under Section 109 read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short, 'BNS') and Section 25(1)(a) of Arms Act.

3. Heard Mr. P. Pravin Kumar, learned counsel appearing for the petitioner as well as Sri Arun Kumar Doddla, learned Additional Public Prosecutor appearing on behalf of the respondent-State.

4. Learned counsel for the petitioner submitted that the petitioner is innocent of the alleged offences and has been falsely implicated. He further submitted that the petitioner was arrested on 13.06.2025 and that the substantial portion of the investigation has already been completed. It was contended that

none of the alleged offences are specifically attributable to the petitioner and that there are no direct or substantive allegations against him. 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 by contending that the allegations against the petitioner are serious in nature and that the petitioner is a habitual offender. He further submitted that a case under Section 302 IPC has previously been registered against the petitioner, and that he has also been involved in cases under the NDPS Act, spanning from the year 2014 to 2025 and considering the gravity of the allegations and that the investigation was still in progress and that, if released on bail at this stage, the petitioner might tamper with evidence or threaten witnesses, the prosecution prayed the Court to dismiss the criminal petition.

6. In the light of the submissions made by both the learned counsel and upon perusal of the material available on record, it is evident that several criminal cases have been registered against the petitioner. The present case pertains to offences

under Section 109 read with Section 3(5) of BNS, and Section 25(1)(a) of the Arms Act. The petitioner has been in judicial custody for over 80 days, and as of today, the charge sheet has not been filed. Considering the overall facts and circumstances of the case, including the nature of the allegations, the stage of investigation, and the period of incarceration, this Court finds it appropriate 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), with two sureties for a like sum each to the satisfaction of the learned X Additional Judicial First Class Magistrate at Medchal.
- 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: 08.09.2025
SS

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.10810 of 2025

Date: 08.09.2025

SS