

THE HON'BLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION NO.10990 OF 2025

ORDER:

This criminal petition is filed by the petitioners/accused Nos.8, 12 and 13 seeking regular bail in connection with Cr.No.149 of 2025 of Bhadrachalam Town Police Station. The offences alleged against the petitioners are under Sections 189 (2), 191 (2), 191 (3), 332(a), 103, 109, 115(2), 296(b), 351(3), 49 r/w.190 of Bharatiya Nyaya Sanhita, 2023 and under Sections 3(1)(r)(s), 3 (2)(va) of SC/ST (POA) Act.

2. The case of the prosecution is that the de facto complainant lodged a report before the police stating that she along with her husband are tenants in one portion and her brother-in-law- Satish was living in one portion. Her brother-in-law was an auto driver and unmarried. On June 7, 2025, at around 11:30 AM, herself, her husband, Satish and his friends Akhil, Venkatesh, and Raj Kumar, along with their children were chit chatting under the petal shed suddenly, around 20 men entered their house, targeting Satish's portion. They attacked him brutally and when they tried to intervene, Ashok restrained Satish by twisting his hands behind his back,

allowing Gunja Sairam to stab him in the stomach and throat with a knife. Gunja Sairam also insulted Satish, mentioning past grudges. Nazeer and Kamesh joined in the assault with blades. Sambha, Durga, Rakhi, Gunja Gopi and some others pushed the complainant aside, and Rakhi even hit complainant's husband with a pestle, on his head, hands and knees causing severe injuries to him. Golla Pandu, Rahul, Madhu, Challa Ajay, Sarapaka Sai, Gunja Venkatesh beat Akhil and Venkatesh and threatened to kill them if they interfered. One person named Sunil who came with the attackers encouraged Sairam to kill them saying that he would take care of it. After the assault, the group fled from the scene. Immediately, they shifted Satish and the husband of complainant to the government hospital, where the medical officer declared Satish as dead and her husband is undergoing treatment. It appears that Gunja Sai Ram and Satish are having previous grudges and keeping that in mind, they attacked Satish. As such, requested the police 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 Sri T. Vasantha Rao,, learned counsel for the petitioners and Sri D. Arun Kumar, learned Additional Public Prosecutor appearing for the respondent-State.

4. Learned counsel for the petitioners contended that the petitioners are innocent of the alleged offences and they are no way connected to the alleged offences. Petitioners are law abiding citizens and eking out their livelihood by doing construction work. They are no way connected with this offence. Even according to the prosecution there are no specific overt acts against these petitioners and they are in jail for the last more than two months. As such, requested the Court to grant bail to the petitioners.

5. On the other hand, learned Additional Public Prosecutor filed counter opposing bail and his contention is that there are specific overt acts against the petitioners. The petitioners herein have guarded the scene of offence and in furtherance of their common object they stayed under the petal shed. They also beat and pushed Lws.1, 3 and 4 and there are serious allegations against the petitioners. At this stage, the petitioners are not entitled for bail and prayed to dismiss this petition.

6. Considering the submissions made by both the counsel and the material placed on record, the petitioners herein are arrested and sent to judicial custody on 09.06.2025 and they are in jail for more than 50 days. Considering the gravity of the allegations against these petitioners and as the material part of investigation is already completed and all the accused in this case are already arrested, this Court deems it appropriate 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 Special Sessions Judge for Trial of Cases under the SC & ST (POA) Act-cum-III Additional Sessions Judge, Khammam.
- ii. The petitioners 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 petitioners shall abide by the conditions stipulated in Section 482(2) of BNSS (previously known as Section 437 (3) of Cr.P.C.)

7. Accordingly, the Criminal Petition is allowed.

Miscellaneous petitions, pending, if any, shall stand closed.

Date: 03.09.2025
SAI

K. SUJANA, J

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