

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.11779 of 2025

ORDER:

Seeking the Court to enlarge the petitioners, who arrayed as accused Nos.1 to 5 in Crime No.480 of 2025 of Khanapur Haveli Police Station, Khammam District, on bail, the present petition is filed.

2 . The brief facts of the case are that on 13.08.2025, a *de-facto* complainant lodged a report with the police stating that on 12.08.2025 at around 9:30 p.m., her husband had a quarrel with her, went out onto the road, and threatened to end his life by jumping under a lorry. At that time, one Gopal was recording a video of her husband. Upon noticing this, her husband confronted Gopal, leading to a quarrel during which Gopal allegedly struck her husband on the head with a stick, causing bleeding injuries to his head and face. When the brother of her husband tried to intervene, Gopal, along with Venu, Vinod, Laxmi and Kavitha, allegedly assaulted both her husband and his brother, inflicting injuries on the head and left hand of her brother. The complainant then transported both injured persons to the Government General Hospital, Khammam. Her husband was admitted to the ICU with a head injury, and his brother received treatment for his injuries.

Based on the complaint, a case was registered *vide* Crime No. 480 of 2025 for the offences punishable under Sections 118(2) and 296(b) read with 3(5) of BNS.

3. Heard Sri B. Muralidhar, learned counsel appearing for the petitioners as well as Sri Arun Kumar Doddla, learned Additional Public Prosecutor appearing on behalf of the respondent-State.

4. Learned counsel for the petitioners submitted that they are innocent of the allegations and petitioner No.2 had lodged a complaint on 12.08.2025 stating that while they were standing on the road, Mahesh, Konduri Umesh, Varun Tej, and Kartheek created a nuisance by stopping vehicles and causing panic, a quarrel ensued among them and that petitioners Nos.1 to 4, who were present in front of the Kirana shop of accused No.5, questioned the disturbance, prompting the said individuals to allegedly pelt stones at the shop and assault the petitioners. He further submitted that the petitioners sustained injuries, and petrol was poured on the scooty of Petitioner No.5, which was then set ablaze. Based on that complaint, a case was registered in Crime No.481 of 2025 dated 13.08.2025 against the deceased Kartheek and others under Sections 118(1), 326(f), 308(5) read with 3(5) of the BNS and that the petitioners claim they were falsely implicated and that there is no evidence proving the

deceased died due to injuries from the said quarrel and that they have been in custody since 14.08.2025, and Petitioner No.4 is an elderly woman suffering from health issues, and a substantial part of the investigation is completed. Therefore, prayed the Court to grant 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 offence falls under Section 103 of the BNS and is grave in nature and that the investigation is at an early stage, and the PME report is pending due to delay in the FSL report. Considering the severity of the offence, the petitioner is not entitled to be released on bail at this stage. Therefore, he 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 noted that both parties filed complaints against each other and the victim died due to internal injuries, and while the PME report has been received, it cannot be conclusively stated that the death was unrelated to the quarrel. The allegations against the petitioners are serious. However, considering the age of Accused No.4 and the gender of Accused No.5, the Court finds it appropriate to grant bail

to them, while rejecting the plea of Accused Nos.1 to 3, subject to the following conditions:

- i. The accused Nos.4 and 5 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 II Additional Judicial First Class Magistrate at Khammam.
- ii. The accused Nos.4 and 5 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 accused Nos.4 and 5 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 partly allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 24.09.2025
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