

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.12004 of 2025

Seeking the Court to enlarge the petitioners who are arrayed as accused Nos.1, 4 and 5 in FIR No.423 of 2025 of Moinabad Police Station, Cyberabad Commissionerate, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that, on 11.07.2025, the de-facto complainant, who is the husband of the accused No.3, has lodged a report before the police stating that he married to accused No.3 on 23.12.2019 and after the marriage, the accused No.3, on the instigation of her parents quarrelling with him, neglecting his parents, and misbehaving with family members in the month of July 2023, though she briefly lived happily, she again demanded a separate house in her name, and when the complainant expressed inability, she stole Rs.5,00,000/- from his almirah, later admitting to having given it to her father for marriage expenses of Taher Ali and when the complainant confronted her parents, they apologized and promised to return the money within a month. However, on 21.12.2024, on instigation, the accused No.3 quarrelled with him again, and the accused persons criminally

trespassed into his house, abused him, looted Rs.2,50,000/- and 7 tolas of gold ornaments, assaulted him and his parents, and threatened to implicate them in false cases. Thereafter, the accused No.3 left and started living with her parents. Despite several efforts through relatives, the disputes remained unresolved. On 13.03.2025, all the accused, with common intention have trespassed into his house, on instigation of accused No.3 to kill him, accused Nos.2 to 6 caught hold of him, and accused No.1, repeatedly kicked his testicles, causing him to fall semi-unconscious, the accused further threatened to kill him if he failed to settle the matrimonial dispute and pay Rs.10,00,000/- as full and final settlement. Hence, he requested for necessary action. Basing on the said complaint, the police registered a case vide FIR No.423 of 2025 for the offences punishable under Sections 109, 309(4), 329 (4) and 351 (3) R/w Section 3 (5) of the Bharatiya Nyaya Sanhita, 2023 (for short, 'BNS').

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

4. Learned counsel for the petitioners submitted that the petitioners herein are innocent and have been falsely implicated in the alleged offences. It is further submitted that the alleged incident was occurred in the month of March and the complaint is filed in the month of July. It is further submitted that the petitioners herein are in jail from 02.09.2025 and the material part of the investigation was already completed. Therefore, he 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 stating that the allegations leveled against the petitioners are serious in nature. Further, the investigation is not yet completed. Therefore, he prayed the Court to dismiss the criminal petition.

6. In light of the submissions made by both the learned counsel and upon perusal of the material available on record, it appears that the petitioners herein are the relatives of the accused No.3 and the de-facto complainant and the accused No.3 are husband and wife and the petitioners herein are in jail from 02.09.2025. Further, as seen from the record, LWs 1

to 8 witnesses were already examined. Considering the facts and circumstances of the case, the nature of the allegations, the stage of investigation, and the duration of incarceration, this Court finds it appropriate to grant bail to the petitioners, subject to the following conditions.

- i. The petitioners/ accused Nos.1, 4 and 5 shall execute a personal bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) each, with two sureties for a like sum each to the satisfaction of the learned XII Additional Judicial Magistrate of First Class, at Rangareddy District.
- ii. The petitioners/ accused Nos.1, 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 petitioners/ accused Nos.1, 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 allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 23.09.2025
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