

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.12193 OF 2025

ORDER :

This criminal petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner/A.6 seeking bail in the event of his arrest in connection with Crime No.1004 of 2025 of Kukatpally Police Station, Cyberabad Commissionerate. The offences alleged against the petitioner are under Section 303(2) of Bharatiya Nyaya Sanhita, 2023.

2. The brief facts of the case are that on 30.07.2025 at around 03:30 hrs, the complainant was sleeping in his car near Pillar No.873, Ankura Hospital, Kukatpally, when two unknown persons allegedly stole his mobile phone worth Rs.5,000 from the dashboard. Based on his complaint received on 31.07.2025 at 12:00 hrs, a case was registered in Crime No.1004/2025 under Section 303(2) BNS.

3. Heard Sri Md. Ismail, learned counsel for the petitioner and Sri D. Arun Kumar, learned Additional Public Prosecutor appearing for the respondent-State.

4. The learned counsel for the petitioner submitted that the petitioner denied all allegations, claiming the case was false, baseless, and filed with mala fide intent to harass him and that no specific role was attributed to him, he had no criminal history, and he was falsely implicated. He further submitted that the petitioner is a private employee, a law-abiding citizen with strong local ties, and the sole breadwinner of his family. This is his first bail petition, and in CrI.P.No.10949 of 2025, this Court had granted him anticipatory bail, noting no prior offences. Hence, prayed this Court to grant anticipatory bail to the petitioner.

5. On the other hand, learned Additional Public Prosecutor opposed bail stating that the allegations leveled against the petitioner are serious in nature. As such, petitioner is not entitled for bail and requested this Court to dismiss this petition.

6. Considering the submissions made by the respective counsel and the material on record, it appears that the alleged offence pertains to the theft of mobile phones, with no direct accusation or evidence linking the petitioner to the crime.

Since the complaint does not name or identify the petitioner and there are no specific overt acts attributed to him, his custodial interrogation may not be necessary at this stage and further there is no previous crime history prior to 2025. Considering the facts of the case, this Court deems it fit to grant anticipatory bail to the petitioner subject to the following conditions :

- i. The petitioner/A.6 shall surrender before the Station House Officer, Kukatpally Police Station, Cyberabad Commissionerate, 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.6 shall appear before the concerned SHO at 11:00 a.m., on every Monday for a period of eight (8)

weeks, for the purpose of investigation and thereafter, as and when required.

- iii. The petitioner/A.6 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, this Criminal Petition is allowed.

Miscellaneous petitions, if any, pending shall stand closed.

Date: 25.09.2025
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K. SUJANA, J

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