

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.12471 of 2025

This Criminal Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner/accused No.1 seeking anticipatory bail in the event of his arrest in connection with Crime No.1663 of 2025 of Narsingi Police Station, Cyberabad Commissionerate, registered for the offences punishable under Sections 109, 329(4), 325, 303(2) r/w Section 3(5) of Bharatiya Nyaya Sanhita, 2023.

2. The case of the prosecution is that the *de-facto* complainant is the wife of Raj Tarun Nidamarthi/A2, lodged a report before police on 26.08.2025 stating that she has been residing at her matrimonial home for the past five years after purchasing the same along with her husband in the year 2016. In March, 2024 due to some personal differences, her husband vacated the house by taking all his belongings and shifted to Madhapur. Subsequently, in July 2024 she lodged a complaint against him at Narsingi Police Station and since then she has been residing alone in the said house by pursuing legal battles and her husband started harassing her by sending associates and goons who attacked her on three different occasions and each time she was cruelly assaulted, dragged out of the house and beaten with belts and glass bottles, looted the gold ornaments which she was wearing and even killed her pet dogs. The complainant specifically

named A.1 along with others responsible for the said incident and 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 B. Balaiah, 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 contends that A1 is a long-time friend of A4/Sushil Augustine V, and at his request, the petitioner merely signed as an attesting witness to the registration of the duly executed and registered sale deed bearing Document No. 542/2025, dated 10.01.2025, executed between A2/Raj Tarun Nidamarthi and A4. Beyond this incidental and formal role as an attesting witness, the petitioner had no involvement whatsoever in the said transaction, including in the delivery of possession or in any subsequent enjoyment of the property. He did not participate in any negotiations nor did he derive any benefit from the transaction. Furthermore, the complainant is not in possession of the said house, and hence, the question of the petitioner attacking or evicting the complainant does not arise. It is submitted that a false case has been foisted against the petitioner. As such, prayed this Court to grant anticipatory bail to the petitioner.

5. On the other hand, learned Additional Public Prosecutor filed counter and opposed bail stating that there are serious allegations against this petitioner and that investigation is still at initial stage and collecting of evidence. He also filed injury certificate along with the counter. As such, prayed this Court to dismiss this criminal petition.

6. Considering the submissions made by the respective counsel and the material placed on record, the main allegation of the complainant is that she was dispossessed from the house by assaulting her and her parents and also looted her gold ornaments, whereas the contention of petitioner is that complainant is not in the house. As seen from the statements recorded by the investigating officer, it is seen that there is injunction order granted in favor of complainant by the civil Court and according to learned Additional Public Prosecutor no such document is filed before the investigating officer. Further the injury certificate dated 08.09.2025 shows that the injuries as simple in nature. As such, considering the facts and circumstances of the case, this Court deems it appropriate to grant pre-arrest bail, to the petitioner subject to the following conditions :

- i. The petitioner/Accused No.1 shall surrender before the Station House Officer, Narsingi Police Station, Cyberabad, 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/Accused No.1 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 and thereafter, as and when required.
- iii. The petitioner/Accused No.1 shall abide by the other conditions stipulated in Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023 and co-operate with the Investigating Officer in investigating the case.

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

Date: 14.10.2025
dsv

K. SUJANA, J

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