

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION No.12785 of 2025

ORDER:

This Criminal Petition is filed for grant of pre-arrest bail to the petitioner in Crime No.69/2025 before the Kulkacherla Police Station, Vikarabad District.

2. The brief facts of the case are that on April 6, 2025, at 5:30 PM, a complaint was filed by Amukanti Balaiah, a 73-year-old farmer, alleging that his wife, Narsamma, was found unconscious with neck injuries and her golden nuptial thread was stolen from their home in Ippaipally village. The complainant had gone to temple that morning and couldn't reach his wife by phone later. Upon returning home, he discovered his wife's condition and suspected unknown persons of entering their home and committing the theft. The stolen gold chain weighed 2 tolas and was valued at Rs. 60,000. On receipt of the said complaint, the Police registered crime for the offences punishable under Sections 329(4) and 304 of BNS.

3. Heard Mr. M.Keshav Yadav, learned counsel for petitioner, and Mr. D.Arun Kumar, learned Additional Public Prosecutor appearing on behalf of the respondents - State.

4. Learned counsel for the petitioner submits that the petitioner, Accused No. 4 in FIR No. 69/2025, faces allegations under Sections 309(4) and 331(5) of the Bharatiya Nyaya Sanhita, 2023, but apprehends arrest despite being innocent and falsely implicated. He contends that the allegations in the charge sheet lack specificity, with no overt act attributed to the petitioner. Therefore, while advocating that custodial interrogation of petitioner is unnecessary as all material evidence has been collected and the petitioner has no criminal record or risk of tampering with evidence or absconding, he prayed the Court to grant pre-arrest bail to the petitioner by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor vehemently opposed the submissions made by the learned counsel for the petitioner, stating that the allegations against the petitioner are of a serious nature, involving his role in robbery. Therefore, prayed this Court to dismiss the criminal petition.

6. Having regard to the rival submissions made and on going through the material placed on record, it is noted that the allegation against the petitioner is that he along with other accused committed robbery, causing injury to victim. Therefore,

considering the severity of the case, this Court is of the opinion that there are no merits in this Criminal Petition, and the same is liable to be dismissed.

7. Accordingly, the Criminal petition is dismissed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 13.10.2025
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