

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.12833 of 2025

ORDER:

This Criminal Petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of pre-arrest bail to the petitioner, who is arrayed as accused No.2 in Crime No.175 of 2025 before the Asifnagar Police Station, Hyderabad.

2. The brief facts of the case are that on 21.07.2025, a complaint was lodged by one Mohammed Hamed, alleging that while he was at his Congress Party Office at New Kishan Nagar, about 15 to 20 persons led by one Shoaib had trespassed into his office, assaulted him with sticks and belts, caused fracture injuries, and damaged the property as well as his two-wheeler.

3. Heard Sri M. A. Mujeeb, learned counsel appearing on behalf of the petitioner as well as Sri E. Ganesh, learned Assistant Public Prosecutor appearing on behalf of the respondent - State.

4. Learned counsel for the petitioner submitted that the petitioner was falsely implicated in the case without any specific allegations against him and was shown as accused No.2 only on the basis of concocted evidence and that the petitioner was innocent, had no connection with the alleged offence, and was apprehending arrest and harassment at the hands of the police. He further submitted that other co-accused i.e., A-3 to A-5 were already granted bail, the investigation was almost completed, and no custodial interrogation of the petitioner was required. Therefore, he prayed the Court to grant pre-arrest bail to the petitioner by allowing this criminal petition.

5. On the other hand, learned Assistant Public Prosecutor opposed the bail petition stating that the allegations leveled against the petitioner are serious in nature. Further, the investigation was not yet completed. At this stage, granting of pre-arrest bail to the petitioner does not arise. 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 a perusal of the material available

on record, it appears that, according to the de facto complainant, accused Nos.2 to 5 beat the injured at the instigation of accused No.1. Accused No.1 is alleged to have led the others to commit the offence, whereas there are no specific overt acts attributed to the petitioner. Considering the same, this Court deems it fit to grant pre-arrest bail to the petitioner, subject to the following conditions:

- i. The petitioner shall surrender before the Station House Officer, Asifnagar Police Station, Hyderabad, within two weeks from today, and on such surrender, the said Station House Officer shall release him on bail on executing a personal bond for Rs.25,000/- with two sureties, for the like sum each.
- ii. The petitioner 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.
- iii. The petitioner shall appear before the concerned Investigating Officer on every Monday between 09:00 a.m, and 05:00 p.m., till the filing of the charge

sheet and thereafter, as and when
required.

7. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications, if any pending, shall stand
closed.

K. SUJANA, J

Date: 15.10.2025
SAI

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