

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.12910 OF 2025

ORDER :

This criminal petition is filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioners/A.1, 2, 3 and 6 seeking anticipatory bail in connection with Crime No.118 of 2025 of Bazarhatnoor Police Station, Adilabad District. The offences alleged against the petitioners are under Sections 109, 118(1), 296(b) r/w.3(5) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS').

2. The facts of the case are that on 06.08.2025 at around 19:00 hours, the complainant, Rabade Saraswathi gave a complaint stating that on 05.08.2025 at about 08:00 hours, while she was cooking in her kitchen, several villagers namely Arjun, Gopichand, Kavitha, UsharSingh, Kallibai, and Laxmi came to her house and accused her of practicing black magic. Gopichand, Arjun, and Kavitha forcibly entered her house, pulled her by the hair, dragged her outside, verbally abused her using filthy language, and beat her with sticks. As a result, she fell unconscious and was immediately shifted to the house of Vinod. At that time, her husband Parushuram, her uncle Mohan Singh, her son Pavan Kumar, and her aunt Chandrakala were present. The said persons then attacked them with sticks

and a button knife. The husband of complainant sustained grievous injuries, including seven stitches on his back and two stitches on his head. Her uncle's left arm and back were swollen due to the assault. Her aunt was also beaten with sticks, resulting in a broken hand. Hence, the complainant requested the police for necessary legal action against the accused. Basing on the said complaint, the police registered the case against the accused for the above offences.

3. Heard Sri Soma Ravi Kiran Reddy, learned counsel for the petitioners and Sri E.Ganesh, learned Assistant Public Prosecutor appearing for the respondent-State.

4. The contention of learned counsel for the petitioners is that without preliminary enquiry straight away FIR was registered and the petitioners are innocent of the said allegations. The petitioners earlier filed CrI.P.No.1116 of 2025, wherein this Court has directed the police to issue notice under Section 35 (3) of BNSS, but the police have deliberately not issued the said notice and trying to arrest the petitioners even though there are no injuries to the complainant. He further contended that 1st petitioner has also filed complaint against the complainant and her husband as he also sustained grievous injuries. The A.4 and A.5 in this crime were already arrested

and released on bail. As such, prayed this Court to grant anticipatory bail to the petitioners.

5. On the other hand, learned Assistant Public Prosecutor opposed bail on the ground that the allegations against the petitioners are serious in nature as they entered into the house of complainant, dragged her out of her house, assaulted her and her family members, causing grievous injuries to the husband of complainant and others. The investigation is at initial stage, as such, requested this Court to dismiss this petition.

6. Considering the submissions made by both the counsel and the material on record, the petitioners herein are A.1, A.2, A.3 and A.6. The allegations against A.3 and A.6 are that they along with other accused attacked the defacto complainant and other injured persons with stick and button knife. The husband of complainant received seven stitches on his back and two stitches on his head. A.4 and A.5 in this case were already arrested and released on bail. Considering the allegations against A.3 and A.6, this Court deems it fit to grant bail to these petitioners subject to the following conditions :

- i. The petitioners/A.3 and A.6 shall surrender before the Station House Officer, Bazarhatnoor Police Station, Adilabad District within two weeks from today, and on such surrender, the said Station House Officer shall release the petitioners on bail on their

executing personal bonds for Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties, for the like sum each.

- ii. The petitioners/A.3 and A.6 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 thereafter, as and when required.
- iii. The petitioners/A.3 and 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, the Criminal Petition is partly allowed. However, the petitioners/A.1 and A.2 are directed to surrender before the trial Court and file regular bail application and on filing of such, application the trial Court is directed to dispose of the same as expeditiously as possible in accordance with law.

Miscellaneous petitions, if any, pending shall stand closed.

K. SUJANA, J

Date :17.10.2025
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