

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.13162 of 2025

ORDER:

This criminal petition is filed under Section 480 & 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') by the petitioner/accused No.6 seeking enlargement on bail in connection with Crime No.1887 of 2025 of Gachibowli Police Station, Cyberabad. The offences alleged against the petitioners are under Sections 109 r/w 3(5) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS').

2. The case of the prosecution is that on 25.08.2025 at 17:15 hours, the defacto complainant- Sri Koduru Pitecheswara Rao, gave a complaint stating that he was the absolute owner of Flat Nos.104 and 304 of Koduru Mansion, Indira Nagar, Gachibowli. He had rented out these flats in 2014 to Pasham Amarnath Reddy and Rohit Kumar Reddy, along with other flat owners in the building. From the year 2020 onwards, the tenants allegedly stopped paying rent and refused to vacate the premises. As a result, the defacto complainant and other flat owners filed a civil suit in O.S.No.592 of 2022 before the Hon'ble Senior Civil Judge at

Kukatpally. The court decreed the suit in their favor on 09.08.2024 and following the decree, the complainant filed E.P.No.20 of 2025 before the same court, which issued a 'Delivery Warrant' in his favor. On the date of the alleged incident, the Court Bailiff, Mr. K. Gopi, visited the premises to execute the warrant. Further when the accused persons demanded to see the decree copies, an altercation took place between the accused and complainant. It was alleged that the accused attacked the complainant and others accompanying him using steel rods and wooden sticks. As such, complainant requested to take necessary action against the accused. Basing on the said complaint, police registered the above crime against the accused.

3. Heard Sri Posani Venkateshwarlu, learned Senior Counsel appearing for Ms.Seema Yasmeen, learned counsel for the petitioner, and Sri D.Arun Kumar, learned Additional Public Prosecutor appearing for the respondent-State.

4. The contention of learned counsel for the petitioner is that petitioner is innocent and did not commit any offence. He averred that it was the petitioner who sustained injuries in the hands of complainant. While advocating that the

petitioner is in jail from 26.08.2025, he prayed this Court to grant bail to the petitioner.

5. On the other hand, learned Additional Public Prosecutor opposed bail stating that there are serious allegations against the petitioner. He further submitted that there was a brutal attack against the complainant. Therefore, while advocating that the petitioner is not entitled for bail at this stage, he prayed this Court to dismiss this petition.

6. Considering the submissions made by both the counsel and the material on record, it is noted that there was a quarrel between the parties and it is alleged that the defacto complainant himself is an aggressor, whereas, the contention of complainant is that it is an attack by the petitioner when the defacto complainant went for execution of Court order. The record shows that petitioner is in jail from 26.08.2025 and A.5 was already granted bail. As the petitioner is in jail for a considerable period, this Court deems it fit to grant bail to the petitioner subject to the following conditions :

- i. The petitioner shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only),

with two sureties for a like sum each to the satisfaction of the learned X Judicial Magistrate of First class, Kukatpally, Cyberabad.

- ii. The petitioner shall appear before the concerned SHO at 11:00 a.m., on every Monday for a period of eight (8) week or till filing of charge sheet whichever is earlier, for the purpose of investigation, and thereafter, as and when required.
- iii. The petitioner shall abide by the conditions stipulated in Section 437(3) of Cr.P.C.(presently, Section 480(3) of the BNSS).

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 23.10.2025
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