

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.13457 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.10 in Crime No.909 of 2025 of Jawahar Nagar Police Station, Rachakonda Commissionerate.

2. The brief facts of the case are that on 08.08.2025, a quarrel broke out at Yapral between the complainant Sai Kumar @ Salmon and one Avinash over parking, which was later settled by locals. However, on the next day, 09.08.2025, at around 9:00 AM, Avinash and his associates allegedly attacked the complainant and his friends at Raghavendra Hotel, Yapral X Road, causing serious injuries. It was further alleged that Thamilaavani, the petitioner and mother of two of the accused, had instigated the attack. Based on the complaint, Crime No.909/2025 was registered at Jawahar Nagar Police Station under Section 109 BNS.

3. Heard Sri David Robartson, learned counsel appearing on behalf of the petitioner as well as Smt. Shalini Saxena, learned Assistant Public Prosecutor appearing on behalf of the respondent - State.

4. Learned counsel for the petitioner submitted that the petitioner an elderly woman suffering from diabetes, was falsely implicated and had no role in the alleged incident and that that she is the sole person managing her family and faces apprehension of arrest and police harassment. He further submitted that the investigation was substantially completed, other accused had already been released from custody, and except filing of the charge sheet, nothing remained. Therefore, he prayed the Court to grant bail to the petitioner by allowing this criminal petition.

5. On the other hand, learned Assistant Public Prosecutor opposed the same 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, she prayed the Court to dismiss the criminal petition.

6. In the light of the submissions made by both the learned counsel and on perusal of the material available on record, it appears that the petitioner has been arrayed as accused No.10. As seen from the record, the only allegation against the petitioner is that she is an abettor, and there are no other specific allegations made against her. Further, the other accused in the same crime have already been granted bail, and the material part of the investigation has been completed. Considering the facts and circumstances of the case, 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, Jawaharnagar Police Station, Rachakonda Commissionerate, within two weeks from today, and on such surrender, the said Station House Officer shall release her 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: 03.11.2025
SAI

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