

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.14364 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 petitioners, who are arrayed as accused in Crime No.112 of 2025 before the Basheerabad Police Station, Vikarabad District.

2. The brief facts of the case are that the de facto complainant lodged a report before the Police stating that he and his wife returned to their village and noticed that trees planted by accused Gopal Goud behind his house had grown large, with roots entering the compound wall and branches damaging the window, roof, and electric wires, resulting in loss of electricity. When he questioned Gopal Goud, a quarrel ensued, which was later pacified by neighbours. He further stated that on 01.10.2025 at about 02:30 AM, accused Gopal Goud and his brother Anjaneyulu Goud trespassed into his house premises while he was sleeping outside and assaulted him with hands and legs. It was alleged that Gopal broke the

gate rod, hit him on the hip, lifted him, and threw him to the ground, while their brother Raju Goud stood guard at the gate.

3. Heard Sri P. Vidhyadhar Goud, learned counsel appearing on behalf of the petitioners as well as Sri D. Arun Kumar, learned Additional Public Prosecutor appearing on behalf of the respondent - State.

4. Learned counsel for the petitioners submitted that the petitioners were innocent, had no role in the alleged incident, and were falsely implicated. He further submitted that the allegations of trespass and assault were false, exaggerated, and improbable, and that no injuries consistent with such claims were made out. He contended that petitioner Nos.4 and 5 were not even named by the complainant, yet their names were unnecessarily added by the police. He further contended that all alleged offences were punishable with imprisonment below seven years. Therefore, he prayed the Court to grant pre-arrest bail to the petitioners by allowing this criminal petition.

5. On the other hand, learned Additional Public Prosecutor vehemently opposed the submissions made by learned counsel for petitioners stating that the allegations leveled against the petitioners are serious in nature. Further, the investigation was not yet completed. At this stage, granting of pre-arrest bail to the petitioners does not arise. Therefore, he prayed the Court to dismiss the Criminal Petition.

6. In light of the submissions made by both the learned counsel and upon a perusal of the material available on record, it appears that the dispute arose between neighbours due to the branches of the accused's trees disrupting the electric wires of the de facto complainant, which led to a quarrel and the alleged assault. Except for the allegation of causing grievous injury, no other serious allegations are found against the petitioner. Considering the facts and circumstances of the case, this Court deems it fit to grant pre-arrest bail to the petitioners, subject to the following conditions:

- i. The petitioners shall surrender before the Station House Officer, Basheerabad Police Station, Vikarabad

District, within two weeks from today, and on such surrender, the said Station House Officer shall release them on bail on executing a personal bond for Rs.25,000/-,each, with two sureties, for the like sum each.

- ii. The petitioners 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 petitioners 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: 24.11.2025
SAI

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