

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION NO.14472 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 Nos.1 and 2 in Crime No.109 of 2025 before the Addagudur Police Station, Rachakonda Commissionerate.

2. The brief facts of the case are that the de facto complainant lodged a report before the Police stating that on 21.06.2025 he was abused in caste-based derogatory language and assaulted with sticks by the accused persons, leading him to lodge a complaint on 22.06.2025. Based on this complaint, the petitioners were arrayed as accused Nos. 1 and 2 under Sections 109 r/w 3(5) BNS and Sections 3(1)(r)(s) of the SC/ST (POA) Act. The petitioners, however, stated that there was an ongoing political rivalry between two groups of the local Congress party, and that an earlier incident involving illegal gravel transport and an attack on petitioner No.1 had already been reported in Crime No.110 of 2025.

3. Heard Sri D.Y.N.L.N. Charyulu, 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, falsely implicated due to political rivalry, and had no role in the alleged caste-based abuse or assault and that the petitioners themselves were victims in the earlier incident, that petitioner No.1 had sustained grievous injuries and was hospitalized, and that the present complaint was engineered to nullify their earlier FIR. He further submitted that the allegations were fabricated, custodial interrogation was unnecessary. 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 opposed the submissions made by the learned counsel for the petitioners stating that the allegations leveled against the petitioners are serious in nature. Further, the de facto complainant sustained grievous injuries, as such, custodial

interrogation of the petitioners is required. Therefore, he prayed the Court to dismiss the criminal petition.

6. In light of the submissions made by both learned counsel and upon a perusal of the material available on record, it appeared that two separate crimes had been registered arising out of the same incident, one based on the complaint of the de facto complainant and the other based on the complaint lodged by accused No.1. The record further reflected that both parties had sustained grievous injuries. Considering the facts and circumstances of the case, this Court deemed it appropriate to grant pre-arrest bail to the petitioners, subject to the following conditions:

- i. The petitioners shall surrender before the Station House Officer, Addagudur Police Station, Rachakonda Commissionerate, 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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