

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.15179 of 2025

DATE : 05.12.2025

Between:

Nunavath Nithin

...Petitioner

AND

State of Telangana
Rep. by its Public Prosecutor, High Court for the
state of Telangana, High Court Buildings, Hyderabad
Through the Station House Officer,
Mallapur Police Station, Jagtial District.

...Respondent

ORDER:

This Criminal Petition is filed before this Court for grant of pre-arrest bail to the petitioner who is arrayed as accused No.1 in FIR No.83 of 2025 before the Mallapur Police Station, Jagtial, registered for the offences punishable under Section 109 r/w 3(5) of the Bharatiya Nyaya Sanhita (for short 'BNS').

2. The case of the prosecution is that the *de-facto* complainant, who is the mother of the injured victim lodged a report before the police on 21.05.2025 stating that, on 20.05.2025 at 10:30 pm, she received credible information that the petitioner herein along with the other accused bet the injured person with a broken beer bottle and attempted to kill the injured, as such requested the police for taking necessary action. On receipt of the said complaint, the Police registered case against the petitioner for the offences as alleged. Aggrieved thereby, this Criminal Petition is filed seeking anticipatory bail of the petitioner.

3. Heard Sri Madas Bharath Chandra, learned counsel for petitioner as well as Sri Arun Kumar Doddla, learned Additional Public Prosecutor appearing on behalf of the respondent - State.

4. Learned counsel for the petitioner submitted that petitioner is innocent of the said allegations and he is falsely implicated in the present case. There is a delay of about 31 days in lodging the report and the reason for the delay as stated by the petitioner is that the petitioner went to the hospital, which is not a sufficient reason and there are prior disputes between the complainant and the injured, as such he is falsely

implicated in the present case. It is further submitted that the petitioner is suffering with ill health and he is ready to cooperate with the investigating authority. Therefore, he prayed the Court to grant pre-arrest bail to the petitioner 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 alleged offence against the petitioner is under Section 109 of BNS, which is a grievous offence. In the first instance, the injured was taken to the Government Hospital, but the hospital authorities advised them to take to a another hospital for better treatment, thereby the injured was shifted to Arogya hospital, as such the petitioner is required for further investigation. At this stage, granting of pre-arrest bail to the petitioner 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 perusal of the material available on record, it appears that the date of lodging the report is on 21.05.2025 and there are previous disputes between the parties and based on the medical certificate of the injured, he has sustained only

simple injuries. Considering the facts and circumstances of the case, this Court deems it fit to grant pre-arrest bail to the petitioner, subject to compliance of the following conditions:

- i. The petitioner shall surrender before the Station House Officer, Mallapur Police Station, Jagitial, within two weeks from today, and on such surrender, the said Station House Officer shall release him on bail, on petitioner executing a personal bond for Rs.25,000/- (Rupees Twenty Five Thousand only), 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: 05.12.2025
SRK

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