

**THE HONOURABLE SMT. JUSTICE K. SUJANA**

**CRIMINAL PETITION No.14883 of 2025**

This Criminal Petition is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS) by the petitioner in the event of his arrest in connection with FIR No.208 of 2025 of Moghalpura Police Station, Hyderabad District, registered for the offences punishable under Sections 117(2). 196 r/w 3(5) of the BNS.

2. The brief facts of the case are that, on 07.10.2025, the *de-facto* complainant lodged a report before the police stating that the de-facto complainant is working as a Shadow fax Delivery Boy (Flipkart parcels) and on 07.10.2025 at around 15:00 hrs, he left his residence to deliver parcels on his two-wheeler and he reached Sultanshahi to deliver a parcel, whereas, due to heavy rainfall, he parked his vehicle in front of one house Opp. Valmiki Temple. While he was standing there, three unknown persons approached complainant and questioned as why he was standing in that location and they assaulted him by hitting him on his face with their hands and he sustained bleeding injuries on his lips and nose and one of

his middle upper teeth was broken. On further enquiry, he came to know the names of the accused persons. Hence, he requested for necessary action. Basing on the said complaint, the police registered a case for the above said offences.

3. Heard Sri Mohammad Adnan, learned counsel for the 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 the petitioner is accused No.2 and accused No.1 was already arrested and released on bail and the petitioner/accused No.2 is innocent of the said allegations and there is no such allegation to attract the offence punishable under Section 196 of the BNS and he is falsely implicated for the grave offences and earlier, the petitioner herein filed a quash petition, wherein, this Court had directed the Investigating Officer to serve notice under Section 35(3) of the BNS by following the procedure, which was not followed by the Investigating Officer and they are trying to arrest the

petitioner herein. Therefore, he prayed the Court to grant anticipatory bail to the petitioner.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner stating that the petitioner herein is the habitual offender and previously, two crimes were registered against him i.e. Crime No.89 of 2024 and Crime No.177 of 2022. As such, the petitioner herein is not entitled for granting of the pre-arrest bail. Therefore, he prayed the Court to dismiss the criminal petition.

6. In the light of the submissions made by both the learned counsel and upon perusal of the material available on record, the allegations against the petitioner are that, he along with accused No.1 assaulted the de-facto complainant due to the religious and a case was registered for the offence under Section 196 of the BNS also. However, this Court has already directed the Investigating Officer to serve the notice under Section 35(3) of the BNS, which was not complied by the Investigating Officer. Considering the facts and circumstances of the case, this Court deems it fit to

grant pre-arrest bail to the petitioner/accused No.2, subject to the following conditions:

- i. The petitioner/accused No.2 shall surrender before the Station House Officer, Moghalpura Police Station, Hyderabad District, within two weeks from today, and on such surrender, the said Station House Officer shall release him on bail on executing a personal bond for Rs.25,000/- with two sureties, for the like sum each.
- ii. The petitioner/accused No.2 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/accused No.2 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.

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**K. SUJANA, J**

Date: 21.11.2025  
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